

MOTION was offered by Randy Rushing and duly seconded by Danny Harrell to remove fluorite on the agenda item on the bids for six months.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. RUSHING, MR. McCOY, MR. DANNY HARRELL, MR. HARRIS, MR. MINCEY, MR. DEWEY HARRELL, MR. CAIN, MR. SHARP, MR. WAGNER

NAYS: NONE

Thereupon, the chair declared that the Motion had carried, and was adopted.

LPR NO. 04-161

MOTION was offered by Dewey Harrell and duly seconded by Danny Harrell to authorize advertisement for bid on the following materials for the period beginning July 1, 2004, and ending December 31, 2004:

- 1) Janitorial Supplies
- 2) Sand/clay Gravel:
 - a. Material
 - b. Trucking
- 3) Specification Gravel:
 - a. Material
 - b. Trucking
- 4) Signs
- 5) Culverts
- 6) Washed Gravel:
 - a. Material
 - b. Trucking
- 7) Tires
- 8) Hot Mix
- 9) Bridge Timber/Bridge Piling
- 10) Sand:
 - a. Material
 - b. Trucking
- 11) Limestone:
 - a. Material
 - b. Trucking
- 12) CRS2/CRS2P/CMS2/MC-30
- 13) Greystone:
 - a. Material
 - b. Trucking

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. RUSHING, MR. McCOY, MR. DANNY HARRELL, MR. HARRIS, MR. MINCEY, MR. DEWEY HARRELL, MR. CAIN, MR. SHARP, MR. WAGNER

NAYS: NONE

Thereupon, the chair declared that the Motion had carried, and was adopted.

The chair opened agenda item 10, "Parish insurance," and recognized Councilman A. "Buddy" Mincey to address this matter. Councilman Mincey asked Parish legal advisor Blayne Honeycutt to instruct the Council in this regard. Mr. Honeycutt stated that, under the Home Rule Charter, any contract must be approved by the Council prior to being signed by the Parish President.

Councilman Mincey asked Parish President Mike Grimmer if he would like to make a statement concerning his February 11, 2004, correspondence to Lewis Mohr Real Estate notifying this agency that another agent for Property and Casualty insurance had been appointed; and the February 26, 2004, correspondence from Coventry to Mr. Jeff Mohr notifying him that a new agent of record was assigned for the group health insurance policy by the Parish. Mr. Grimmer informed the Council that he appointed an agent for the property and casualty insurance program of the Parish without consent of the Council because that is how it has been done in the Parish for a number of years. Mr. Grimmer also stated that he did not realize the Parish had an agent of record when he replaced the agent of record without consent of the Council.

Councilman Dewey Harrell stated that the Council has voted annually on the Parish health insurance policy and that he served on the Parish Council Health Insurance Committee to negotiate a contract of health insurance for the Parish employees.

Councilman Mincey directed the Council Clerk to distribute a copy of a resolution adopted by the Parish governing authority on October 18, 1991, which states that the governing authority will accept the lowest quote for group health insurance from any agent providing that quote has the best coverage for the money and that the agent submitting the accepted quote will be the agent of record for that policy period.

4-08-2004

Councilman Mincey applauded the efforts of Jeff Mohr, Lewis Mohr Insurance Agency, in obtaining an excellent contract of health insurance for the Parish employees. Mr. Mincey expressed his opinion that it was unjust to remove Mr. Mohr prior to the policy expiration.

Mr. Grimmer opined that the Parish should retain the services of an insurance consultant rather than an agent of record and take proposals annually. Mr. Grimmer advised the Council that when an agent of record is assigned, no one else can submit a bid for those companies represented by that agent of record. Councilman Mincey asked the Parish legal advisor to verify that only the agent of record can submit quotes to the Parish. Mr. Honeycutt stated that he was unsure and would have to speak with someone familiar with the insurance business.

Mr. Grimmer directed the Council to re-form an employee's health insurance Committee of the Council, and said in November he would have an insurance consultant address the Council committee. Finance Director Tracie Eisworth informed the Council that the auto insurance policy expires in September and suggested a committee meet prior to that time.

Councilman Danny Harrell agreed that the agent of record should not be changed in the middle of a contract. Councilman Harrell asked the Parish legal advisor if the insurance provider is considered a professional service. Parish legal advisor Blayne Honeycutt stated that his preliminary findings are that this does constitute a professional service, which can be bid by the Parish. Mr. Honeycutt stated the question is whether or not this service must be put out for bid.

Mr. Honeycutt stated that any contract for projects, equipment, professional services or materials and supplies must be approved by the Council, according to the Home Rule Charter.

Councilman A. "Buddy" Mincey stated his intent to offer a motion to advise Coventry Health Care of Louisiana Inc. that they were improperly notified of a change in agent of record for the Parish's group policy and to instruct Coventry to reinstate Jeff Mohr if any change in agent of record was instituted and to compensate Jeff Mohr for any loss of compensation that might have occurred as a result of this action.

Councilman Jimmie McCoy opined that the removal of the agent of record and any reinstatement is the "price of doing business," and he objected to the Parish taking part in reimbursement of any lost compensation.

Councilman Ronald Sharp asked the Parish legal advisor if the Parish President could make the requested changes and corrections without action of the Council. Mr. Grimmer stated that, first thing in the morning, he would reverse his actions administratively, with the understanding that the he and the Council committee will meet prior to the expiration of the next insurance contract to discuss all insurance for the Parish.

Councilman Dewey Harrell opined that the Parish Council, through Committee negotiations, did obtain an excellent policy of health insurance and suggested that the Parish may have obtained a better deal on property and casualty insurance if the Council committee had negotiated this also. Councilman Harrell, chairman of the former Livingston Parish Council Employees' Health Insurance Committee, said he wanted to make it clear that the Parish did not get "ripped off" in contracting for health insurance.

The chair informed the assembly that agenda item 11, "Culvert ordinance introduction," was being removed from consideration on this agenda.

Councilman Dewey Harrell left the meeting room at this time and did not return until after the following two (2) votes:

The chair opened agenda item 12, "FPD10 Board Appointment," and informed the Council that Len Hodges' term expired on January 4, 2004, and that Mr. Hodges declined reappointment.

LPR NO. 04-162

MOTION was offered by Randy Rushing and duly seconded by Jimmie McCoy to appoint Joe Bowling to the Board of Commissioners of Fire Protection District 10, said term to expire January 1, 2006.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. RUSHING, MR. McCOY, MR. DANNY HARRELL, MR. HARRIS, MR. MINCEY, MR. CAIN, MR. SHARP, MR. WAGNER

NAYS: NONE

ABSENT: MR. DEWEY HARRELL

MR. McCOY, MR. MINCEY, MR. RUSHING, MR. SHARP, MR. WAGNER

NAYS: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 05-512

MOTION was offered by Danny Harrell and duly seconded by Ronald Sharp to return to the regular order of business.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. CAIN, MR. DANNY HARRELL, MR. DEWEY HARRELL, MR. HARRIS,
MR. McCOY, MR. MINCEY, MR. RUSHING, MR. SHARP, MR. WAGNER

NAYS: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

The chair recognized Councilman Dewey Harrell who discussed the need to declare an emergency and move to lift the agenda to take action on the contract of property casualty insurance with St. Paul Travelers Companies, which expired September 27, 2005. Mr. Harrell informed the Council that the policy was already renewed since the policy did not increase, but that the Council needed to formally act to reaffirm the renewal and signing of the policy.

Councilman Stan Cain objected to the contract being renewed without action of the Council. Mr. Cain said an insurance contract is a "major issue" and objected to a decision being made before placing the question on the agenda of the Council. Councilman Cain opined that the Insurance Committee had ample time to bring this matter before the Council prior to the contract expiration date.

Councilman Jimmie McCoy stated that he would like to know prior to the expiration date that a contract term is almost up. Councilman McCoy said he agreed with Mr. Cain that this is a major issue and informed the Council that he receives several persistent inquiries about Parish insurance. Mr. McCoy requested that the contract be brought before the Council body before it is renewed.

LPR NO. 05-513

MOTION was offered by Dewey Harrell and duly seconded by Ronald Sharp to declare an emergency and move to lift the agenda in accordance with Section 2-2.1 of the Code of Ordinances in and for the Parish of Livingston for the purpose of confirming the renewal and signing of the policy of property casualty insurance between St. Paul Travelers Companies and the Livingston Parish Council.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. DANNY HARRELL, MR. DEWEY HARRELL, MR. HARRIS, MR.
McCOY, MR. MINCEY, MR. RUSHING, MR. SHARP, MR. WAGNER

NAYS: MR. CAIN

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 05-514

MOTION was offered by Dewey Harrell and duly seconded by Ronald Sharp to reaffirm the renewal of the contract of property casualty insurance with St. Paul Travelers Companies and corroborate the signature of the Parish President made September 28, 2005, on behalf of the Livingston Parish Council, said contract to expire September 28, 2006.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. CAIN, MR. DANNY HARRELL, MR. DEWEY HARRELL, MR. HARRIS,
MR. McCOY, MR. MINCEY, MR. RUSHING, MR. SHARP, MR. WAGNER

NAYS: NONE

Thereupon the chair declared that the Motion had carried and was adopted.

LPR NO. 05-515

MOTION was offered by Dewey Harrell and duly seconded by Ronald Sharp to return to the regular order of business.

Upon being submitted to a vote, the vote thereon was as follows: