

**REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
OF THE VILLAGE OF FRENCH SETTLEMENT, March 13, 2019**

The Mayor and Board of Aldermen of the Village of French Settlement met at 16015 Hwy. 16, French Settlement, Louisiana on the 13th day of March, 2019 at 6 p.m. in regular session convened. The meeting was called to order by Mayor Toni Guitrau with the following members present:

Alderman Teresa Miller, Alderman Danette Carrier, Alderman Rhonda Lobell

Absent: None

Also present: Chief of Police William "Bill" Bliss

A prayer was offered by Alderman Teresa Miller

Public Comments on Agenda Items: The mayor opened the floor to public comments on agenda items. There were no comments. Mayor Guitrau announced that former French Settlement Alderman Paula Rae Guitrau Brown passed away on March 11, 2019. She was an alderman from January 1993 – December 1996. She will be greatly missed. The flag on the municipal building will remain lowered until after the funeral on Saturday.

Guest Speaker(s): None

Reading of Minutes and Statement of Finances

The motion to adopt the minutes and statement of finances for the month of February 2019, as presented, was made by Alderman Carrier and seconded by Alderman Miller. A yeas and a nay vote was called for and resulted as follows:

Yeas: Miller, Carrier, Lobell

Nays: None

Absent: None

Reading of Communications: None

Emergency Manager Report: None

Police Department Report: Chief Bliss reported the following for the month of February: One arrest was made on possession of meth and a gun in the vehicle. Chief Bliss has the officers running radar in the school zone during the morning hours at least two days per week, and most afternoons. Assistant Chief Callender taught a class at the Louisiana Chiefs of Police Convention today and is on his way back. Captain Durkin is attending classes.

Old Business

- **Grounds Report:** Laurie, with Wesley's Lawn Service, removed a dead possum from a pavilion garbage can this week. All is in good condition on the municipal grounds.
- **Road Report:** Mayor Guitrau reported that DEMCO will repair the street light at La. Hwy 42 and Matherne Lane intersection. The village may be required to start paying approximately \$8/month for the street light, but she is waiting to hear from them regarding this matter.
- The LPSO Litter Crew plans to be out picking up litter from bridge to bridge (La. Hwy. 16) this coming Friday.

LGAP GRANT –No update.

New Business

- **Outside Maintenance Contract Renewal** – Mayor Guitrau reported that she prepared the contract then the town attorney reviewed it and added an insurance clause regarding liability insurance. The town covers the worker's compensation and the contractor provides a liability certificate of insurance. Liability insurance was discussed. Alderman Lobell read out loud #7 of the proposed contract which states: Contractor agrees to maintain comprehensive general liability and to hold harmless, defend and indemnify "VOFS" Village of French Settlement from any claims, damages or liabilities arising from its work under this Contract. Alderman Lobell said because it states in the contract that the village would be held harmless etc., it does not necessarily mean that an insurance company would honor it. She said there has to be additional language in the policy adding the village as "additional insured" and it should be stated on the Certificate. The requirement of the additional language is not in the contract so the village would look to the contractor directly to defend and hold harmless the village from any claims. She said she is not sure if a contractor could do that or not. She said that after she spoke to the town attorney today, he agreed with her in that the village should be named as Additional Insured. She said she is in the insurance business and that the insurance company (Atlantic Company) named on the Certificate of Insurance is not an insurance company, noted that there was no NAIC # on the certificate, and that it states Town of French Settlement instead of Village of French Settlement. She tried to reach the insurance company to see if it was a typo but no one returned her call. She said the limit of liability on this

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certificate of insurance is \$100,000, and per Tim Pujol a public entity can be liable up to \$500,000 so she said therefore the village would be liable for the gap. If there is a claim and there is insufficient liability insurance to cover up to \$500,000 then the village would look to the contractor or to itself. Not being listed as Additional Insured is as good as having nothing even though the village is listed as Certificate Holder. The mayor had discussed this with the town's insurance agent today and was told \$100,000 was sufficient for lawn service. She suggested this could be postponed or it could be voted on with stipulations, but it was up to the Board. The Board discussed the liability involved should an accident such as a rock hitting someone in the head should occur etc. It was agreed to continue this until the next meeting so that the mayor could confirm whether or not the company on the Certificate of Insurance is fraudulent, and so that the town attorney could review the suggestions being offered. Mayor Guitrau said she will ask the town attorney to notify her in advance of potential changes to a contract to be voted on so that the changes can be made prior to the meeting to avoid delays in business.

Sexual Harassment Policy – Mayor Guitrau said that Governor Edwards signed into law last year, and it took effect as of January 2019, that all public employees including elected, appointed officials, police departments, etc., must take a one-hour class on sexual harassment. Supervisors must take 2-hour class. She has already taken the 2-hour class and the Board of Aldermen have taken the one-hour class. All those who work for the village and FSPD have been notified. A motion to adopt the sexual harassment policy, as presented, was made by Miller and seconded by Lobell. A ye and a nay vote was called for and resulted as follows:

Yeas: Miller, Carrier, Lobell

Nays: None

Absent: None

Local Events: None

Adjourn: A motion to adjourn was made by Alderman Carrier and seconded by Alderman Miller. A ye and a nay vote was called for and resulted as follows:

Yeas: Miller, Carrier, Lobell

Nays: None

Absent: None

/S/Toni Guitrau, Mayor

/S/Pam Melancon, Municipal Clerk