

APPROVED MINUTES

LOUISIANA CLERKS OF COURT ASSOCIATION BOARD OF DIRECTORS MEETING WEDNESDAY, SEPTEMBER 27, 2017 BATON ROUGE, LOUISIANA 1:00 P.M.

The Louisiana Clerks of Court Board of Directors meeting was held on the above date at the Association Office and called to order by President Rick Arceneaux. Bridget Hanna gave the opening prayer and Kim Turlich-Vaughan led the Pledge of Allegiance.

Secretary Robin Hooter called roll and the following members were present: Richard "Rick" Arceneaux, Steve Andrews, Brian Lestage, Bridget Hanna, Robin Hooter, Randy Deshotel, Kim Turlich-Vaughan, Cliff Dressel, David Dart, Johnny Crain, Jr., Dale Atkins, Becky Patin, Mike Spence, Carol Jones, Connie Couvillon, Doug Welborn, Lillian Richie, and Diane Meaux Broussard

Also present: Executive Director Debbie Hudnall, Darlene Landry, Randy Briggs, Louise Bond, Frank Borne and Chris Kershaw.

Oath of Office

President Rick Arceneaux welcomed two new members to the Board, Dale Atkins & Mike Spence. Dale Atkins was sworn in as 2nd District Member and Mike Spence was sworn in as 4th District Member by President Arceneaux.

Appointment of Supplemental Board

Marion Hopkins was appointed. Motion by Steve Andrews and seconded by Cliff Dressel to approve the appointment. Motion passed without opposition.

Approval of Minutes

Motion was made by Cliff Dressel and seconded by Diane Meaux Broussard to approve the minutes of June 28, 2017. Motion passed without opposition.

Financial Reports

Treasurer Randy Deshotel presented the Association Financial Reports for the period ending August 31, 2017. He reported the total current assets for the Association as \$608,242 with total property and equipment at \$9,676 with total assets of \$789,598 and total current liabilities of \$131,129. He also reported total capital of \$658,468 and total liabilities and capital of \$789,598. The Treasurer informed the Board that the current fiscal year-to-date actual

current revenues are \$260,611 and total expenses are \$240,829 with a net income of \$19,781.52. Motion made by Becky Patin to receive the financial reports and seconded by Carol Jones. Motion passed without opposition.

Board Reports

LCRAA

Chairman Rick Arceneaux reported that the Board met on September 7, 2017. He stated there are 54 parishes participating and 45 parishes active as of September 1, 2017 with over 23.7 million land records and over 1.2 million marriage records. We are averaging 560 logins per month with 4,888 active users. Chairman Arceneaux reported on the financials of LCRAA as of August 31, 2017. He stated net income for the two months of the fiscal year of \$224,409. He also reported total assets of \$3,190,131 with liabilities of \$331,774 leaving net assets at \$2,858,357. The Board approved adding civil indices. The committee awarded grants to 4 of the 8 applicants in the amount of \$107,934. An additional grant was approved from the previous quarter in the amount of \$50,000.

Retirement & Relief Fund

President Rick Arceneaux reported that the Board met this morning and Louie Bernard was sworn in as Retired Clerk Member. He then presented the financials from the meeting. President Arceneaux reported as of July 31, 2017 the total assets were \$602,586,399 with a net increase of \$8,445,690. The Investment Committee presented 2 proposals to the Board. The first is to amend investment policy to add language regarding Summit's ability to use its discretion selecting Hedge Funds Managers with the Board retaining discretion over all funds. This is projected to save the Fund approximately \$500,000 a year in fees. The second proposal was to rebalance the portfolio to bring the asset allocation to targeted allocation. The Retirement Fund has total investments of \$599,878,315 with a return of 1.99% in fiscal year to date.

The Retirement Board approved the following proposed legislation:

- (1) Amend R.S. 11:723 to exempt Clerks from allowing an employee to remain in another retirement system.
- (2) Require employer contributions on a retiree who returns to work.
- (3) IRS Regulation Clause regarding roll overs to a non-spouse beneficiary as recommended by Attorney for qualified plans.

Supplemental Compensation Fund

Treasurer Randy Deshotel reported total current assets of \$71,572, total other assets of \$123,646, total assets of \$195,000, current liability at \$126,750, current fund balance of \$68,468. Year to date revenue of \$249,000, expenses of \$253,000 with a net loss year to date of <\$4,412.>.

Committee Reports

2017 Conference Report

Executive Director Debbie Hudnall gave the report for Lynn Jones. The Conference was very successful with 285 total conference attendees. There were 44 Clerks, 15 Clerk spouses, 106 Deputies, 18 Deputy spouses, 6 retired Clerks and 1 retired Clerks spouse. There were 33 vendors with a total income of \$119,240, total expenses of \$95,000, for a net income of \$23,783.

Education Committee

No report at this time. Committee will be meeting October 19, 2017. The Institute will be held in February in Baton Rouge.

E-Filing Committee

No report at this time. Committee will be meeting October 16, 2017.

Judges/Clerks Liaison Committee

Executive Director Debbie Hudnall reported that Rick Arceneaux, Brian Lestage, Louis Perret along with herself met with Judge Morrison, Judge Manning, Judge Leblanc and Judge Molaison, etc. on September 21, 2017. This past legislation removed the requirement to send minutes with the UCO. However, the UCO has been revised and approved for use beginning December 1, 2017. They had initially wanted probation and parole information on the form, but that has been removed for the time being. The Judges want to continue to pursue the probation information in the future. The form with the Probation/Parole information will be done in a pilot program in a few parishes.

Executive Director Report

Legislation

It was discussed that the Sheriff's may be pursuing 6 year terms and they approached the Clerks about joining in on the bill. Update: Since this meeting the Sheriffs have decided not to pursue this.

Debbie proposed legislation for the Clerks as passed by the District Attorneys, which protects Clerks for following state law, i.e. Marriage License litigation.

Litigation

Lawrence vs. State of Louisiana-

State of Louisiana vs. Cornella Carroll

Debbie reported that these are court cost suits. There has been no change in status; However Sheri Morris has been contacted by Jeffrey Wells. He has requested available dates to meet with the Attorney General in the next few weeks.

Marriage License

Sheri Morris reported to Debbie that it was her understanding that Neil Elliott has filed a motion with Eastern District seeking approval of instructions to the Registrar and the Clerks. She is not sure whether the court will act on that pending motion or not. The motion for attorney's fees is due September 29, 2017. The attorney is repsonding that the Clerks should not have to pay attorney's fees as we were only following state law.

Wells vs. Williams Olefins Develop et al

This is an Ascension Parish personal injury case in which an attorney paid all court costs for a client up until appeal and then requested pauper status for the appeal. Sheri Morris reported to Debbie that an application for the writ of statutory was filed with the Supreme Court by Bridget Hanna's office attorney. The plaintiff has filed an opposition. Bridget has replied to the opposition. Sherri Morris has filed a motion for leave to file an amicus brief in support of Bridget's opposition on September 15, 2017.

District Reports

District 1

Johnny Crain, Jr. reported had meeting scheduled but due to illness no meeting was held.

District 2

Dale Atkins reported that have not held a meeting.

District 3

Becky Patin reported they had a meeting at Diane's house. They discussed Unclaimed Property and the fees that went up have helped the offices. They also discussed the upcoming conference in Lafayette that will be held May 8-11, 2018.

District 4

Mike Spence reported that they met and some of the Clerks would like to re-address our vendors being able to come to the education portion of our institutes and conferences. They feel when laws are changed that affect programming it would be helpful to have them there. They also suggested perhaps indicating on the schedule what classes they could attend. This will be readdressed at the next Clerks Only meeting.

District 5

Carol Jones said they discussed the certified copy you receive when recording.

District 6

Connie Couvillon reported they met. They talked about new recording fees and Unclaimed Property. A question was brought up to a Clerk by a Legislator about not charging for a substantial partial work completion affidavit or no work affidavit or go to \$50.00. It was discussed that we are trying to be uniform and the law is clear.

District 7

Jeff Skidmore's report was given by Randy Briggs. They met in Natchitoches regarding the same issues. Louie Bernard was in attendance.

District 8

Doug Welborn reported they had not met.

District 9

Lillian Richie reported they visited by email. Rod Naquin is on the e-filing committee and will be attending the upcoming meeting. They will visit the 5th Circuit to view their e-filing system.

Other Business

Brian Lestage announced the open house for their renovated courthouse in Beauregard Parish will be held October 27, 2017.

Debbie announced the December meeting to be held beginning November 28, 2017 with a Clerks Only Meeting, The Retirement Board will meet November 29, 2017 in the morning with the Association meeting that afternoon. The Insurance Committee will meet November 30, 2017. Attendees will be able to stay in one hotel. Debbie requested Clerks to hold their district meetings to discuss legislation and to please send any legislative proposals to the Association to be prepared for the meeting.

Comments by Board Members

President Rick Arceneaux announced the Executive Board will have the Strategic Planning Meeting beginning October 24, 2017 and if anyone has something to be brought up by their district, please submit prior to that date.

Johnny Crain, Jr. wanted to thank Debbie and everyone who made the new recording bill possible. He is able to hire a new person for his office. He also wanted to invite everyone to the Washington Parish Fair October 18-21, 2017.

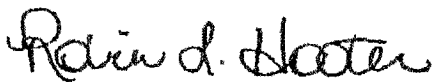
Debbie gave an update on the Clerks Care Fund. Funds were disbursed to the different parishes affected by the flooding. There is \$222.57 left in the Fund. She talked to the auditor's and they suggested we donate the funds to a charity. Discussion was held regarding where the excess funds should be donated. Motion was made by David Dart to allow the Executive Director the authority to research and choose a charity. Motion was seconded by Diane Meaux Broussard. Motion passed without opposition.

Carol Jones inquired about using a State Rate at the hotel for a discount. Discussion was held about the number of State Rate rooms available and the need for a block to guarantee room availability.

There being no further business, Steve Andrews moved to adjourn, seconded by David Dart. Motion passed without opposition

Respectfully Submitted:

Approved:



Robin L. Hooter, Secretary



Rick Arceneaux, President