

APPROVED MINUTES

LOUISIANA CLERKS OF COURT ASSOCIATION BOARD OF DIRECTORS MEETING

TUESDAY, MARCH 6, 2012

1:00 PM

BATON ROUGE, LA

The Board of Directors of the Louisiana Clerks of Court Association met on the above date at Renaissance Hotel in Baton Rouge, Louisiana.

The following members were present: President Mark Graffeo, Lynn Jones, Tammy Foster, Diane Meaux Broussard, Holli Vining, Jim Martin, David Dart, Rick Arceneaux, Louie Bernard, Felicia Ann Hendl, Vernon Rodrigue, Carl Broussard, Cindy Johnston, Carol Jones, Lanell Landry, ElRay Lemoine, Cliff Dressel, Christine Crow, Darlene Landry, and Debbie Hudnall, Executive Director.

The following guests were present: Gary Loftin

The meeting was called to order by President Mark Graffeo. Carol Jones gave the opening prayer and David Dart led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion made by Louie Bernard, duly seconded by Cliff Dressel, that the minutes of December 7, 2011 be approved as presented. MOTION CARRIED with no objections.

COMMENTS BY PRESIDENT

President Mark Graffeo welcomed everyone to Baton Rouge for what would be his last Board meeting as President. He thanked everyone for their assistance and support over the past year.

FINANCIAL REPORTS (reports on file in office)

Jim Martin presented the Financial Report of the Association. The balance sheet ending January 31, 2012 indicates Total Current Assets of \$610,019.69. The Income Statement was then presented for the 7 months ending January 31, 2012 and reflected Net Income of \$10,078.45. Jim reported that the budget is still faring well after the reduction in dues and attributed that to good financial management.

Motion made by David Dart, duly seconded by Rick Arceneaux, that the Financial Reports be received and, with no objections, MOTION CARRIED.

2011/2012 BUDGET (Exhibit A) – Jim then presented a Proposed Amended Budget for FY 2011/2012 that showed adjustments totaling an increase in Net Income of \$9,802.00.

Motion made by Jim Martin, duly seconded by Cindy Johnston, that the Proposed Amended Budget for FY 2011/2012 be approved and, with no objections, MOTION CARRIED.

2012-2013 BUDGET (Exhibit B) - Jim also presented the Proposed Budget for FY 2012/2013. The budget projects a loss of (\$28,487.00) but would utilize the Fund Balance to cover any deficit.

Motion made by Cliff Dressel, duly seconded by David Dart, that the Proposed Budget for FY 2012/2013 be approved and, with no objections, MOTION CARRIED.

BOARD REPORTS

LACCRMA – President Graffeo reported that LACCRMA met during the Clerk's Institute and that the fund continues to perform well. Dan Condon, of Hunt Insurance, gave his actuarial report at that meeting and suggested that the Board should consider a 10% increase in premiums. The Board voted to maintain the current level of premiums due to current economic conditions.

RETIREMENT AND RELIEF FUND - President Graffeo presented the report from the Retirement Board meeting held this date. He indicated that investors expect continued volatility in the market.

The Retirement Board heard from Jessica Portis, of Summit Strategies, who reported the Fund balance as of January 31, 2012 was \$382 million and the FYTD return was a negative 0.24%. She stated that the Board had good diversification of holdings but that 2012 projects to be a difficult year and that Summit would continue to educate the Board on diversification and income strategies in the coming months in an effort to "win by not losing".

President Graffeo also reported that the Board authorized Debbie to look for a new software package to manage the Retirement Fund's accounting functions which will replace the 21 yr old system she is currently using.

The Board reconsidered their decision to make the direct deposit of the Clerks' monthly retirement contributions mandatory. The Board voted to make electronic payments optional but encourages everyone to use this preferred method of payment. Debbie reported that more than 20 parishes are now transmitting payments electronically.

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The Board also heard an actuarial report by Gary Curran of G.S. Curran and Associates. Gary reported that the actuarial report had been approved by PRSAC and although the actuarial report indicated that the employer contribution rate could be reduced to 16.25%, he strongly recommended that the Board maintain the current rate of 17.25%. The Board concurred in their desire to maintain the contribution rate at the current level. Gary indicated that legislative changes to the system last year's (change in final average compensation for active members and changes for new hires) had been helpful to the Fund.

SUPPLEMENTAL COMPENSATION BOARD - Jim Martin reported that the Supplemental Fund had suffered a shortage in recent months which made it necessary to hold some checks for payment until the following month. He indicated that the Board would closely monitor the situation in March and April and if there isn't a significant increase in revenue, a change would be recommended at the May Board meeting.

COMMITTEE REPORTS

2012 CONVENTION REPORT – Cindy Johnston reported that her office was busy preparing for the Convention in Bossier City. She indicated that she has 93 registrants to date and asked that everyone submit their registration forms as soon as possible. Deadline for registration is April 1, 2012.

2013 CONVENTION REPORT - Debbie Hudnall reported on behalf of Tom Sullivan that he is currently working on plans for the Convention to be held the week of April 15, 2013 at the Capitol Hilton in Baton Rouge.

EDUCATION COMMITTEE – President Graffeo reported that the February Institute was financially successful and the Education Committee is currently scheduling a meeting to review the February Institute and make plans for the August Institute.

EXECUTIVE COMMITTEE - President Graffeo reported that at the last 2 strategic planning sessions, discussions had ensued concerning the possible purchase of a new Association building. At this time, local realtor, Scott Guidry, joined the meeting. He gave a lengthy summation of the current state of the commercial real estate market in Baton Rouge and answered numerous questions from board members. Tom Sullivan, who has a background in real estate, also gave the Board his opinions on the market.

Motion made by Cliff Dressel, duly seconded by ElRay Lemoine, that a committee be formed to look into the options for a new Association building and, with no objections, MOTION CARRIED.

REPORT OF EXECUTIVE DIRECTOR

2012 LEGISLATION - Debbie Hudnall reported that approximately 1200 bills had been filed on Friday and that she would keep the Clerks abreast of any action on pertinent bills.

Debbie then advised the Board that she had received a couple of calls from Clerks' offices who were preparing W2's and inquiring as to whether specific contributions should be included as Medicare wages. The contributions in question were the 8.25% employee retirement contribution, when paid by the employer, and any amounts that the office matches on Deferred Compensation contributions. Debbie consulted the Auditor's tax specialist and was advised that the Deferred Compensation contributions are not included as Medicare wages until such time as those funds are withdrawn. The employee retirement contribution, when paid by the Clerk, is also not considered Medicare wages.

Debbie reported that the New Clerks' Orientation held in February went well and that all 12 new Clerks attended.

DISTRICT REPORTS

DISTRICT ONE - Felicia Ann Hendl reported that District One had met and would be nominating Darlene Landry as their new Insurance Board member and Julian Dufreche as their Board of Directors' representative.

Felicia then asked the Board their feelings on establishing a special account to deposit any unused monies from the Convention to be used for future conventions in an effort to keep registration fees down. The Board entered a lengthy discussion on this issue.

Jim Martin made a motion, duly seconded by David Dart, to create a balance sheet account for proceeds from the Convention each year with the surplus to be used for future conventions at the direction of the Board. MOTION CARRIED with no objection.

DISTRICT THREE - Diane Meaux Broussard reported on behalf of Carl Broussard that District Three had met and discussed several issues. Diane then opened a discussion concerning the 2001 fee schedule. She indicated she interpreted the schedule to mean \$25 for the 1st page of recording and \$10 for each additional page up to 10 pages, then \$8/page for each page thereafter. Debbie stated that the additional page fees should actually be \$8/page for EVERY additional page after the 1st when a document is more than 10 pages.

Diane indicated that District 3 had also discussed the possible MERS litigation and apprised the Board of their discussion.

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DISTRICT NINE – Christine Crow reported that District Nine had met and would be appointing John Olivier as their new representative on the Board of Directors.

The remaining Districts had no items to report.

Vice President Lynn Jones reminded the Districts to turn in their appointments for the Nominating Committee as well as any nominations for Board representatives.

President Graffeo thanked the Board members who would be rolling off for their service.

OTHER BUSINESS


Darlene Landry stated that she had received a request for Juvenile statistical information from the Louisiana Law Enforcement Commission. A discussion ensued and it was the consensus that the Clerks were not required to meet with them or provide them with such data.

Cindy Johnston made the Board aware that her Judges' office is requesting data from her to put together a case tracking system to submit information to the Supreme Court. She was told that if the system works well, that eventually they expect all Clerks to be forced to turn over their data for this purpose. It was discussed that the law provides that the Clerk of Court is the custodian of all Court records.


There being no other business, Tammy Foster made a motion to adjourn the meeting. Lynn Jones seconded. MOTION CARRIED with no objection.

RESPECTFULLY SUBMITTED:

APPROVED:



HOLLI VINING, SECRETARY



MARK GRAFFEO, PRESIDENT

EXHIBIT A

CLERKS OF COURT ASSOCIATION PROPOSED AMENDED 2011/2012 ANNUAL BUDGET

	7/1/2011 Original Actual Budget 2011-2012	3/6/2012 Proposed Budget Adjustments 2011-2012	6/30/2012 Proposed Amended Budget 2011-2012
RECEIPTS:			
Dues @ 2%	\$188,500.00		\$188,500.00
Interest	6,000.00	(2,500.00)	3,500.00
Reimbursements:			
Insurance - \$4200/mo	50,400.00		50,400.00
Retirement - \$25,000/mo	300,000.00		300,000.00
Convention Receipts	3,000.00		3,000.00
Institute Receipts	5,000.00	9,000.00	14,000.00
Certification Receipts	200.00		200.00
Other Income - Sponsorships	10,000.00	2,000.00	12,000.00
Scholarship Receipts	0.00		0.00
Total Receipts	\$563,100.00	\$8,500.00	\$571,600.00
EXPENSES:			
Annual Audit Fee	\$5,000.00		\$5,000.00
Attorney's Fee	7,200.00	(3,200.00)	4,000.00
Auto Insurance	2,500.00	(1,300.00)	1,200.00
Auto Usage Expense	1,500.00	(240.00)	1,260.00
Board Per Diem	9,000.00		9,000.00
Board Secretary Fee	1,250.00		1,250.00
Bonds & Insurance	12,000.00		12,000.00
Books & Publications	750.00		750.00
Certification Expense	400.00		400.00
Condo Fee	2,400.00		2,400.00
Contingency	5,000.00		5,000.00
Convention Expense	3,000.00		3,000.00
Electricity	3,200.00		3,200.00
Equipment Rental	9,000.00		9,000.00
Exec. Director Contract	126,676.00	21,662.00	148,338.00
Exec. Director Tax Reimbursement	14,781.00	(8,424.00)	6,357.00
Exec. Director Ins.	4,300.00	(2,200.00)	2,100.00
IACREOT	2,500.00		2,500.00
Institute Expenses	1,000.00		1,000.00
Insurance - Retirees	7,500.00		7,500.00
Janitorial	3,000.00		3,000.00
Legislative Meeting Exp.	1,200.00		1,200.00
Maintenance Building	7,500.00	(2,500.00)	5,000.00
Maintenance Computer	7,100.00	(2,500.00)	4,600.00
Meetings	25,000.00		25,000.00
Membership Dues	1,000.00		1,000.00
Miscellaneous	500.00		500.00
Office Equipment	5,000.00		5,000.00
Office Supplies	5,000.00		5,000.00
Other Prof. Fees	33,000.00		33,000.00
Postage	4,000.00		4,000.00
Seminar	1,200.00	(600.00)	600.00
Salary Expense and Related Costs	225,943.00		225,943.00
Staff Travel	750.00		750.00
Storage Rental	1,750.00		1,750.00
Telephone	9,000.00		9,000.00
Total Expenses	\$549,900.00	\$698.00	\$550,598.00
Net Income before depreciation	\$13,200.00	\$7,802.00	\$21,002.00
Depreciation Expense (non-cash)	\$18,000.00	(2,000.00)	\$16,000.00
Net Income (Loss)	(\$4,800.00)	\$9,802.00	\$5,002.00

CLERKS OF COURT ASSOCIATION
ADOPTED FYE 2013 ANNUAL BUDGET
EFFECTIVE JULY 1, 2012

EXHIBIT B

	7/1/2012
	Proposed Budget 2012-2013
RECEIPTS:	
Dues @ 2%	\$190,240.00
Interest	3,500.00
Reimbursements:	
Insurance - \$4200/mo	50,400.00
Retirement - \$25,000/mo	300,000.00
Convention Receipts	3,000.00
Institute Receipts	8,000.00
Certification Receipts	200.00
Other Income - Sponsorships	12,000.00
Total Receipts	\$567,340.00
EXPENSES:	
Annual Audit Fee	\$6,000.00
Attorney's Fee	6,000.00
Board Per Diem	10,000.00
Board Secretary Fee	1,250.00
Bonds & Insurance	12,500.00
Books & Publications	750.00
Certification Expense	400.00
Condo Fee	2,400.00
Contingency Expense	5,000.00
Convention Expense	3,000.00
Electricity	3,200.00
Equipment Rental	9,000.00
Exec. Director Contract	170,000.00
IACREOT Expense	2,500.00
Institute Expenses	1,000.00
Insurance - Retirees	7,700.00
Janitorial	3,900.00
Legislative Meeting Exp.	1,200.00
Maintenance Building	5,000.00
Maintenance Computer	7,000.00
Meeting Expense	25,000.00
Membership Dues	750.00
Misc. Expense	500.00
Office Equipment	5,000.00
Office Supplies	5,000.00
Other Prof. Fees	33,000.00
Postage	4,500.00
Seminar Expense	600.00
Salary Expense and Related Costs	237,177.00
Staff Travel Expense	750.00
Storage Rental	1,750.00
Telephone Expense	8,000.00
Total Expenses	\$579,827.00
Net Income before depreciation	(\$12,487.00)
Depreciation Expense (non-cash)	\$16,000.00
Net Income (Loss)	(\$28,487.00)