

**LOUISIANA CLERKS OF COURT ASSOCIATION  
CLERKS ONLY MEETING  
MONDAY, APRIL 13, 2009 AT 1:30 P.M.  
HILTON BATON ROUGE, CAPITOL CENTER  
BATON ROUGE, LA**

The Louisiana Clerks of Court met on the above date with the following clerks present: Robby Barousse, Gerald Harrington, Hart Bourque, Darlene Landry, Sammy Couvillon, Brian Lestage, Jim Martin, Cindy Johnston, Lynn Jones, Eugene Dunn, Carl Broussard, Janet Payne, Pat Gladney, Clyde Webber, Sonny Stone, Doug Welborn, Beatrice Carter, David Dart, Ann Johnson, President Michael Thibodeaux, Bubbie Dupont, Ann Walsworth, Richard Arceneaux, Louis Perret, Vernon Rodrigue, Steve Andrews, Linda Cook, Tom Sullivan, Marion Hopkins, Carol Jones, Louie Bernard, Arthur Morrell, Bill Hodge, Dot Lundin, Lanell Landry, Carolyn Ryland, Stuart Shaw, Tammy Foster, Lena Torres, Charlie Oubre, Ed Kinler, Allen Blanchard, Cliff Dressel, Malise Prieto, Julian Dufreche, Bobby Boudreaux, Dodi Eubanks, Diane Broussard, Willie Deon, Johnny Crain, Holli Vining, Mark Graffeo, Kay Bolding, Felicia Ann Hendl, Don Kelley, Christine Crow and Peter Fitzgerald, Jr. Also present: Debbie Hudnall, Executive Director and Randy Zinna, Attorney. Guest present: Ron Franks, Jr., and Bonnie Albritton.

The invocation was given by Louie Bernard and Robby Barousse led the Pledge of Allegiance.

Convention host Tom Sullivan welcomed everyone to the Convention. He thanked Doug Welborn and Hart Bourque for helping organize the convention and informed Clerks of the schedule.

Clyde Ray Webber invited Clerks to the 2011 Convention in Ferriday/Vidalia/Natchez area.

**APPROVAL OF MINUTES**

Louie Bernard made a motion to approve the minutes of the last Clerks Only, December 1, 2008 and 2008 Convention minutes. The motion was seconded by Robby Barousse.  
**Motion carried.**

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**GUEST SPEAKERS**

**Mid-South Fleet Leasing** – Rob Franks, Jr. is licensed by the motor vehicle commission and began Mid-South Leasing in 1964. They manage around 800 vehicles in which they provide financing and leasing. Mr. Franks provided information concerning leasing vehicles through his company.

**GASB45 – Bonnie Albritton, L&E Actuaries-** Bonnie Albritton presented information concerning GASB45. Their company, located in Dallas, Kansas City and London, provides actuarial services for employee benefits for life, health, and casualty insurance. She provided an overview of GASB45 which covers post-employment benefits including medical, vision, dental, death, disability, and long-term care benefits. GASB45 mandates uniform accrual-based accounting, but does not mandate advance funding of benefits. Implementation of GASB45 is phased in based on total annual revenue in the first year ending after 6/15/99. This is something that every Clerks' office is mandated to do. Each Clerk will need a service contract with L & E Actuaries that includes an engagement letter signed and returned by June 1, 2009. The fixed cost would be \$2,850 per Clerk for 9/10 fiscal year and they would need the participation of at least 25 parishes. Results will be included in the 6/30/2010 financial report. The LCCIT will provide data for L & E to begin work soon after the start of the fiscal year. Each Clerk will need to provide information specified in the Valuation Information Form and each participating Clerk will receive a report before the end of the year. If further information is needed, Bonnie can be contacted at 972-850-0850 or balbritton@lewisellis.com.

**REPORTS**

**BY-LAWS COMMITTEE**

Louis Perret reported that the By-Laws Committee had met that morning and there were two issues discussed. Ann Johnson, Clerk in Franklin Parish, would like to be transferred from District 7 to District 5 because of the miles she has to travel. Also, a change is needed to correct the By-Laws to reflect that the Orleans Recorder of Mortgages, Orleans Recorder of Conveyances and Custodian of Notarial Records offices all three have been merged into the Orleans Civil Clerks office.

**TREASURER REPORT**

**Louisiana Clerks of Court Association:** Bill Hodge gave the annual audited report as of June 30, 2008. He reported there was a fund balance of \$607,000.00 and that amount included \$188,000.00 in the legal fund. The net assets were a total of \$267,000.00, which was \$11,000 more than 2007.

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**Retirement and Relief Fund:** Treasurer Bill Hodge gave the annual audited report as of June 30, 2008. He reported net assets of \$331,000,000.00 which was down from net assets of June 30, 2007, in the amount of \$348,000,000.00. He also presented the list of retirees currently drawing retirement. There are currently 3,661 members in the retirement system with 849 retirees, 404 terminated members, 102 DROP members and 2,306 active members. Michael Thibodeaux said he wanted to give a positive report which was that Kari Creighton had just informed Debbie that the retirement fund had increased by 4.38%.

**Insurance Trust Fund:** Bill reported that the annual audited report of the Insurance Trust was included in the packets of the Clerks who are members of the Insurance Trust. He said if they had any questions to please contact him.

Pat Gladney made a motion to approve the annual reports. Motion was seconded by Carolyn Ryland. **Motion carried.**

**RISK MANAGEMENT REPORT**

Mark Graffeo reported that 54 parishes are currently enrolled and the fund remains healthy. He reported that Steve Crooks resigned from the Board and Malise Prieto replaced him as a Board member. The financial report for 12/31/2008 showed \$1,900,000.00 in Plan Assets and \$620,000.00 in liabilities for total net assets of \$1.3 million. The claims reserve is \$397,000.00 and excess funds are invested in government bonds which are relatively a safe investment. Mark reported that as of the prior week, there were 8 claims currently being monitored. Although some of them had no basis; there had been one large claim involving labor and employment issues, but it was being settled. The Board has asked the Hunt Group to gather information in regards to higher limits on employment practice liability coverage. Hunt will also submit proposals from a few Louisiana Law firms that excel in employment practices that would provide a hot line to be able to advise Clerks.

**SUPPLEMENTAL FUND**

Michael Thibodeaux gave the report on behalf of Gary Loftin. He reported total receipts for 9 months were \$942,458.00 with a monthly average income of \$104,717.00. The expenses per month were \$107,650.00 leaving the fund short \$2,833.00/month. Mike reported that the monthly deficit provides two options: reduce everyone's salary by \$50.00 per month; or increase every new suit by 50 cents, increase the Orleans Criminal Clerk's contribution from \$600.00 to \$650.00, and increase the cap would from \$3300 to \$3450. Cliff Dressel made a motion to increase contributions effective July 1, 2009. Motion seconded by Stuart Shaw. **Motion carried.**

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**FEE LITIGATION**

Randy Zinna gave an update on the fee litigation by reporting that cases have settled except for the 7 targeted parishes. He said that all parishes that have an outstanding balance need to pay as soon as possible.

**FINANCIAL DISCLOSURE FORMS**

Randy Zinna informed the Clerks that the Financial Disclosures are due by May 15. If an extension is filed for an individual's Federal tax return, an extension must be filed with the Ethics Board before May 15<sup>th</sup> and then the Financial Disclosure would be due 30 days after filing Federal tax return.

**DODT – Electronic Signatures**

Debbie Hudnall informed the Clerks that the state will start recording contracts with electronic signatures. She also said there is nothing in the law that would allow Clerks to refuse to file these documents.

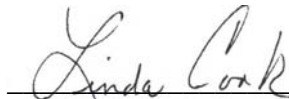
**2009 LEGISLATION**

Debbie Hudnall reported that the Legislature will go into session on April 27, 2009. She said that HB 84 is a term limit bill for parish wide officials and that the clerks would need to oppose that bill. She also reported that HB 150 is a local bill filed by Mike and Robby to allow for a car allowance. A motion made by Cliff Dressel to send a resolution to all legislators informing them that all Clerks oppose HB 84. Motion seconded by Vernon Rodrigue. **Motion carried.**

**NEW BUSINESS**

President Thibodeaux asked for a motion to change the By-laws. Motion was made by Lanell Landry to amend the By-laws to move Franklin Parish from District 7 to District 5 and to delete from District 2 Orleans Recorder of Mortgages, Recorder of Conveyances and Custodian of Notarial Records. Motion was seconded by Carl Broussard. **Motion carried.**

**Adjournment**



**Linda Cook  
Secretary**

**S/Michael Thibodeaux**

**Michael Thibodeaux  
President**