

# APPROVED MINUTES

## LOUISIANA CLERKS OF COURT ASSOCIATION BOARD OF DIRECTORS MEETING TUESDAY, JULY 29, 2008 SHREVEPORT, LA

The Louisiana Clerks of Court Association Board of Directors met on the above date with the following members present: President Michael Thibodeaux, Robby Barousse, Louie Bernard, Linda Cook, Louis Perret, Jim Martin, Edmond Kinler, Diane Broussard, Pat Gladney, Carol Jones, ElRay Lemoine and Christine Crow. Also present: Debbie Hudnall, Executive Director; and Randy Zinna, Attorney. **Members absent were** Mark Graffeo, Bill Hodge, Lynn Jones, Dot Lundin, Lanell Landry, Bubbie Dupont and Tom Sullivan.

The invocation was given by Diane Broussard and Robby Barousse led the Pledge of Allegiance.

### APPROVAL OF MINUTES

Robby Barousse made a motion to approve, as presented, the minutes of the last regular meeting of Monday, April 14, 2008. The motion was seconded by Louie Bernard.

**Motion carried.**

### COMMENTS BY PRESIDENT

Michael Thibodeaux encouraged everyone to mark their calendars for the next Board meeting in New Iberia. Our President said he looked forward to everyone coming to New Iberia in September.

### FINANCIAL REPORT

#### **Association Financial Report:**

**(Exhibit 1)** Debbie Hudnall presented the financial report for March 31, 2008 through June, 31, 2008 with exhibits furnished to each Board member. Reporting current assets as of June 30, 2008 were \$365,230.77 and total assets \$414,233.90

#### **Budget:**

Debbie Hudnall reviewed the budget comparison for the twelve months ending June 30, 2008. Total Revenue received was \$452,000.00 with Total Budgeted Revenue of \$418,222.00. Total Budgeted Expenditures were \$456,000.00 and actual Total Expenditures were \$446,000.00. There was a \$38,000 deficit budgeted, but the Association ended up with a \$6,096.00 profit. Pat Gladney made motion to receive the Financials and motion was seconded by Robby Barousse. **Motion carried.**

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## **Legal Fund:**

Debbie Hudnall informed everyone that there were \$1,194,386.00 revenues received and \$1,065,397.70 legal fees paid out through July 17, 2008 leaving a balance of \$135,394.30. There is \$3,017.00 still outstanding from the smaller parishes.

## **FEE LITIGATION**

Randy Zinna informed everyone there are still outstanding bills of \$100,000.00 and once these are paid our balance would be \$35,394.30. Mr. Zinna estimated an additional three to four hundred thousand dollars would be needed to get us to the end of the year and this does not include going to trial. A general discussion followed.

## **BOARD REPORTS**

### **Insurance Board**

President, Michael Thibodeaux, discussed Debbie's financial comparison with the 2006/2007 insurance year to the 2007/2008 insurance year. In the year 2006/2007, the claims were approximately \$8,000,000 and in 2007/2008, the claims were approximately \$4,000,000. This is a result of deeper discounts with Blue Cross than with FARA. Michael further reported approximately 42% of the parishes selected the Option 1 plan which is the higher deductible and approximately 58% chose the Option 2 plan which is a modified plan of the old plan.

### **Retirement Board**

President, Michael Thibodeaux, informed everyone that the Retirement Fund had an approximate 6.5% loss which was about \$21,000,000. The last 2 good years carried us over for this bad year and we should start improving. The Retirement Board voted to change the way the DROP money is handled. Presently, once you complete the contribution period of DROP, the money is transferred over to LAMP and now the DROP money will be transferred over to Great West. It will be a self-directed plan (SDP) which will allow the member to make investment choices or in a guaranteed fund. The Retirement Board will enter into a contract with Great West allowing them to administer the DROP funds including distribution. Therefore, when you withdraw all or a portion of your money, because Great West will use the Retirement Tax I.D number, you are exempt from paying State income taxes. It is hoped to have this in place by October 1, 2008.



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## **Supplemental Compensation Board**

Debbie Hudnall reported a fund balance as of June 30, 2008 of \$48,000. Debbie further reported as per R. S. 13:761 B. (1), there were two vacancies on the Supplemental Board. Hart Bourque and Bubbie Dupont had only served one two year term and Gary Loftin recommended that they be reappointed to serve a second two year term. Edmond Kinler made a Motion to reappoint them to the Supplemental Compensation Board for another term and Louie Bernard seconds the motion. **Motion carried.**

## **COMMITTEE REPORTS**

### **Education**

Debbie Hudnall reported on the important and informative agenda and encouraged everyone to be there for the Institute scheduled for August 19 – August 22.

### **Legislation**

Debbie Hudnall stated that she will be giving an update at the Institute in Baton Rouge and that the new legislation is posted on the Association website. She did inform the Board that Act 651 (Cancellation by Affidavit on Lost Note by an individual) that the Clerks promoted is now in effect.

### **LA Clerks of Court Network**

Debbie reported that a RFP had been sent out to 5 vendors and they have been given until August 15 to respond. The Network committee will meet on Monday, August 18, to review any proposals and a recommendation will be given on August 19<sup>th</sup>. Further discussion was heard.

### **Scholarship Committee**

President, Michael Thibodeaux, reported that there were 3 applicants for the scholarship. The scholarship fund had a balance of \$8, 077.87 as of April 30, 2008. The committee is of the opinion, based upon the information received, that all three applicants are qualified to receive a scholarship award based upon established criteria. Therefore, the committee unanimously recommended that the applicants each be awarded \$500.00 in the form of Scholarship from the Louisiana Clerks of Court Association. With approval of the Board of Directors, a check in the amount of \$500.00 will be prepared and mailed to Mathew Foster, Jeffrey Olivier, and Jacob D. Ecker. A motion to issue the Scholarships was made by Pat Gladney and second by Jim Martin. **Motion carried.** Discussion was made on ways of additional funding for the Scholarship fund.

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## **Supreme Court/Public Access Rule for the Court**

President, Michael Thibodeaux, informed the Board that the Supreme Court is forming a Public Access Committee and wanted two Clerks to serve on the committee. Appointed were Tom Sullivan and Michael Thibodeaux.

## **Tort Advisory Committee**

Debbie Hudnall reported the Tort Advisory Committee had held their first meeting to discuss the reporting of tort cases and the need for the data. A general discussion followed.

## **2008 Convention Committee**

Louis Perret reported that everyone seemed to have had a great time and he was happy to announce that he would be turning over a profit of approximately \$10,000 to the Association. He also reported that a donation would be made to the Omelet Festival.

## **2009 Convention Committee**

Debbie Hudnall reported on behalf of chairman, Tom Sullivan that approximately 200 rooms have already been booked of which approximately 60 rooms were for clerks. She reported that Tom is expecting 350 – 400 guests to be in attendance and that he and his committee were looking forward to seeing everyone in Baton Rouge.

## **REPORT OF EXECUTIVE DIRECTOR**

### **Notarial Archives Resignation**

Debbie Hudnall informed the Board that Stephen Bruno the Custodian of Notarial Record in New Orleans had submitted a letter of resignation in view of the legislation merging his office with the Civil Clerk and that he would not be paying the 2008/2009 dues.

### **Office Policy and Procedures (Exhibit 2)**

Debbie Hudnall introduced proposed amendments to Association Policy and Procedures for Association employees. Motion made to accept the amendments by ElRay Lemoine and second by Jim Martin. **Motion carried.**

### **2008 Association Directory**

Debbie Hudnall reported that she has asked vendors to purchase an advertisement in the new Association Directory and that she had a wonderful response from vendors. She informed the Board that the advertisements should cover the costs of printing the directories.

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## GASB 45

Debbie reported that the Insurance Trust had instructed her to send a copy of the proposal from L & E Actuaries & Consultants to all insurance clerks to see how many clerks would be interested in accepting their proposal in order to comply with GASB 45. She suggested that each clerk should review the proposal with their auditors and decide if they would like to accept the proposal of L & E Actuaries & Consultants.

## Other Business

Debbie reported that she had received an email from Calvert Stone (Sonny Stone's son) who is an attorney with Commerce Title, stating that they were noticing that some clerks were redacting the entire social security numbers on all acts rather than leaving the last four digits. She said the clerks might want to look into that practice because the law states the last four digits of the social should be on the document.

## For Your Information

### **Tentative Board Meeting**

New Iberia, LA - September 17 and 18, 2008  
Natchitoches, LA - December 1, 2 and 3, 2008  
Baton Rouge, LA - April 2009

## Adjournment

Jim Martin moved to adjourn the meeting. It was seconded by Pat Gladney.



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LINDA COOK  
SECRETARY



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MICHAEL THIBODEAUX  
PRESIDENT