

Minutes of the Special Meeting of the Board of Control

Monday, July 7, 2020

Norris J Millet Sr.

LaPlace, Louisiana

6:00pm

Mrs. Wilder presided at the meeting and so called the meeting to order at 6:00pm and asked for a moment of silence. Following Mrs. Wilder called for the roll to be taken.

Present: Mrs. Arlie, Mrs. Coy, Mrs. Johnson, Ms. Joseph, Mr. Tatje and Mrs. Wilder
There was a quorum present.

Absent: Ms. Burrell, & Mr. Madere.

Others present: Andrea Tullos, Library Director and Secretary to the Board and Assistant District Attorney Henri Dufresne, Amy Riche' Assistant Library Director

III. Mrs. Wilder then called for public comment. *If there were people present for public comment, they would be allowed to speak to items on the printed agenda with a time limit of 2 minutes.* Being no one is present for the public comment, Mrs. Wilder moved onto the next item on the agenda.

V. Old Business

a. Reserve Building Committee members report of land investigation and present contract for professional services to engage real estate work on behalf of the Board.

Mr. Tatje provided a recap of the direction given at the June 22, 2020 meeting to interview and select a real estate agent to work with the Board on acquiring property for the Reserve Branch replacement. Following a meeting on June 30th with the representatives of Michael Allain and Bob Fraiche of Keller Williams along with Mrs. Joseph, and Mrs. Tullos, the board is being presented with an engagement letter and commission agreement to engage their services. Mr. Tatje shared the background of the agent's with the board that they have many years of experience acquiring land that is not currently listed on the market, needs to be rezoned, and special use properties. The team was advised of the uniqueness of the property and its location. Mr. Tatje shared that the property owners are interested in selling to the library.

Mr. Tatje shared that we just learned that it would be the Library Board's role to prepare a packet for the council with the due diligence period necessary to ensure that public funds are utilized in a transparent and appropriate manner. This includes finding out what parish requires, working with planning and zoning on re-zoning, & soil tests. Mrs. Coy asked who is the land owner, and it was confirmed by Henri Dufresne that it was the Parish as owner, by State Statute when the Library was established in 1966. The

Library Board is authorized to use funds to erect buildings after the parish council approves this expenditure. For the master site, the packet should include the land use preliminary planning. Mrs. Coy asked for clarification on who owns our buildings now, and the confirmation was the Parish owns all the buildings and land. Mrs. Coy asked if this discussion and engaging with real estate agent was pre-mature. Mr. Dufresne indicated it is not pre-mature as the packet still needs to be completed. Still need a real estate professional to guide us. Mr. Dufresne indicated that there is still research to be completed on the steps. We will connect with past institutional knowledge of Mr. DeSoto and will also address a responsible procedure to have this clearly outlined.

Mr. Tatje asked if the Board would be able to purchase the land without having all the other 'packet' completed. Mr. Dufresne quoted the Statute that indicates, "Council authorizes purchase.....after a site and preparation plan has been presented to the public and approved by the majority of the Library Board." Mrs. Johnson indicated that in the past land purchase was done by the Library board and presented to the council for approval, and all future items for design and build were presented in a 'packet' to the council. Mrs. Tullos indicated that Mr. DeSoto had confirmed that the 'work and the packet' are completed by the Library and the Library Board for presentation and approval by the Council.

Mrs. Wilder asked the real estate agent, Mr. Fraiche if the work that he would assist us with would be to get the packet together and complete for the parish council. What would be their role in this process. Mr. Fraiche indicated that they would put the packet together and the biggest hurdle would be getting the property rezoned to fit the library needs. This process usually takes between 30 and 60 days. The recommendation would be to have purchase agreement with a 90-day due diligence period, in order to have the property re-zoned during that time. Mr. Dufresne indicated that the re-subdivision of the properties could be part of the site planning. Mr. Fraiche indicated that you could have a purchase agreement in writing with the due diligence indicating that the re-zoning would need to be approved for final purchase of the property. Mrs. Wilder confirmed with Mr. Fraiche that he and his team would prepare the purchase information / packet for the Parish. Mr. Dufresne indicated that at this time the Library Board is authorized to identify sites, the reasons why, and indicate steps that needed to happen and present to the Parish. After discussion, Mr. Tatje asked if they could prepare an offer to sell, rather than an offer to buy. The purchase price can only be appraised value of the land. There is only one appraisal at this time on one parcel which is only 7 months old, and there would need to be an additional appraisal on the second parcel. There are no fees by the agent, unless the property is closed. Typically, the seller would pay the agent's fees, however, the Board would be asked to approve the commission agreement, if the seller did not pay the commission fees.

Mr. Dufresne guided that being diligent on the front end and laying out the steps are appropriate. The Board agreed that a letter of intent to sell would need to be executed for two different sellers, and that the agents could do this. Ms. Coy shared that the only

cost of public funds would be the cost of the appraisals. Mr. Dufresne did agree that providing intent to sell in the packet to the Parish with appraised values would be appropriate. The Board does not have authority to purchase without the Parish approval, so this would be the correct step. Mr. Fraiche shared that in a regular purchase agreement, you write up the letter first to purchase / sell, and then during due diligence the appraisal is done and the other investigations such as soil testing. This purchase would be subject to appraisal.

Ms. Coy motioned that the St John the Baptist Parish Library Board of Control engage Keller Williams Realty and agents Michael Allain and Bob Fraiche to investigate consult to create a packet for the Council approval of select land sites for purchase in Reserve for new library. Mrs. Arlie seconded this motion. Following a very detailed discussion, Mrs. Wilder called for a vote.

Vote: Mrs. Arlie: No, Ms. Burrell: Absent, Mrs. Coy: No, Mrs. Johnson: No, Ms. Joseph: No Mr. Madere: Absent, Mr. Tatje: Abstain, Mrs. Wilder: No

Motion failed.

Results: Yes: 0 No: 5 Abstain: 1 Absent: 2

The Statute Library Laws of Louisiana R. S. 25- 213-B specifically states that the governing authorities of the parishes may authorize their respective library boards of control to use a portion of the millage dedicated for maintenance and support for the library for funding for acquiring site or construction of buildings. Since this will require parish council approval, it should be presented to the council in a package, which would provide for site planning and preparation in addition to land purchase. Mr. Tatje motioned to request a legal opinion from the St. John the Baptist District Attorney's Office to answer the following:

- 1) Can the Library Board Acquire property in Reserve for the construction of a new Reserve Branch?
- 2) If no, who is the appropriate entity to acquire the property?
- 3) What legal steps does the board need to follow move forward with the acquisition and building of a new library branch?

This motion was seconded by Mrs. Johnson.

Vote: Mrs. Arlie: Yes, Ms. Burrell: Absent, Mrs. Coy: Yes, Mrs. Johnson: Yes, Ms. Joseph: Yes Mr. Madere: Absent, Mr. Tatje: Yes, Mrs. Wilder: Yes

Results: Yes: 6 No: 0 Abstain: 0 Absent: 2

Mrs. Johnson motioned to adjourn, seconded by Ms. Joseph. With all in favor, the meeting adjourned at 7:05pm



Andrea F Tullos
Library Director



Lisa Tregre-Wilder
President