

**PROCEEDINGS OF THE ST. JOHN THE BAPTIST PARISH SCHOOL BOARD
RESERVE, LA – MEETING OF MARCH 4, 2015**

ITEM 1: The Chair called the meeting to order and read the following call:

HONORABLE MEMBERS OF THE SCHOOL BOARD
Parish of St. John the Baptist

Dear Board Member:

Upon call of the President, the St. John the Baptist Parish School Board will meet in special session at Godchaux Grammar Cafeteria, 1600 Highway 44, Reserve, Louisiana, on Wednesday, March 4, 2015, at 6:00 p.m.

An agenda for the meeting is attached.

Sincerely, s/Kevin R. George
Superintendent/Secretary

The Chair called for the invocation, followed by the Pledge of Allegiance.

ITEM 2. ROLL CALL OF MEMBERS:

PRESENT: Jack, Burl, DeFrancesch, Johnson, Wise, Wallace, Nicholas, Triche, Jones
ABSENT: Keller, Sanders

There were 9 members present, 2 absent.

ITEM 3. Approval of Minutes – Meeting of February 19, 2015.

MOTION BY: Burl

SECOND BY: Jack

MOTION: To approve the minutes of the meeting of February 19, 2015.

No objections.

The motion carried.

ITEM 4. Mr. Albert A. Burl III – Approve policy on sales tax liability for general construction contractor and construction subcontractor.

Mr. Burl stated that this policy is for introduction only and the Land and Facilities will seek approval from the Board at the March 19, 2015 meeting.

Procedure and liability of general construction contractor and construction subcontractor.

(a) Within 30 days of the execution of a construction contract, a general construction contractor shall submit to the St. John Sales Tax Collection Department, referred to as Department, a list of all construction subcontractors directly engaged by the general construction contractor for such particular construction contract. The list shall include the construction subcontractor's city sales and use tax registration number (if any), together with the construction subcontractor's physical address and telephone number. Should a construction subcontractor be engaged by the general construction contractor with respect to such construction contract subsequent to the submission of such list to the Department, such general construction contractor shall, within 30 days from the execution of the contract engaging such construction subcontractor, submit the above information regarding the additional construction subcontractor to the Department.

(b) After review of the list(s) referred to in (a), if the Department determines that a construction subcontractor is not registered with the Department, or has failed to timely file one or more local sales and use tax returns, the general construction contractor shall, upon written notification and request by the Department via certified mail, withhold an amount not to exceed five percent of the construction subcontractor's materials portion of the construction contract. Such written notification and request by the Department shall identify the construction subcontractor and the amount requested to be withheld. The Department shall also notify the construction subcontractor via certified mail that the construction subcontractor has 90 days from the receipt of such notification to obtain a written release from the Department and to present such release to the general construction contractor, which shall authorize the general construction contractor to release the withheld funds. If the construction subcontractor fails to obtain the release within the 90-day period, the general construction contractor shall, upon request by the Department, remit the amounts withheld from such construction subcontractor to the Department. Upon proof by the construction subcontractor that the Department erroneously instructed the general construction contractor to withhold and remit said amounts, within 30 days after such proof has been made, the Department shall cause a refund to be made, as provided by law, to such construction subcontractor for any amounts which were erroneously withheld and remitted to the Department.

(c) Within 30 days after receipt of the required lists from the general construction contractor, the Department shall issue to the general construction contractor appropriate documentation evidencing that the general construction contractor has complied with all requirements with respect to each such construction contract. Such documentation shall release the general construction contractor from liability for any sales or use tax incurred by the construction subcontractors in connection with the construction contract to which such documentation relates.

(d) If the general construction contractor has omitted one or more construction subcontractors from the list(s) submitted to the Department, or the general construction contractor has failed to withhold any amounts due a construction subcontractor after receipt of notification and request by the Department, then the Department may proceed directly against the general construction contractor for any unpaid local sales or use taxes incurred in connection with the construction contract by that

omitted construction subcontractor, or by that construction subcontractor to whom payments were made by the general construction contractor after receipt of notification and request by the Department.

Any general construction contractor who fails to substantially comply with this policy of the St. John the Baptist Parish School Board, shall be liable for all sales and use taxes of its subconstruction contractors to the extent of the noncompliance.

ITEM 5. Mr. Peter Montz – Request Board approval on Proposal 15.28 E Rate Wireless LAN

PROPOSAL AWARD RECOMMENDATION: Transformyx – District Five Year Cost - \$58,426.50; E-rate Five Year Cost: \$389,510.00

MOTION BY: Wise

SECOND BY: Triche

MOTION: To accept Proposal 15.28 E Rate Wireless LAN to Transformyx, as presented and recommended.

No objections.

The motion carried.

9 Yeas – Jack, Burl, DeFrancesch, Johnson, Wise, Wallace, Nicholas, Triche, Jones

0 Nays

2 Absent – Keller, Sanders

ITEM 6. Ms. Cindy Janecke - Request Board approval on the Lake Pontchartrain Elementary demolition bids

Mr. George asked the board to consider tabling this item until the next meeting.

MOTION BY: Wise

SECOND BY: Burl

MOTION: To table approval of the Lake Pontchartrain Elementary School demolition bids.

No objections.

The motion carried.

9 Yeas – Jack, Burl, DeFrancesch, Johnson, Wise, Wallace, Nicholas, Triche, Jones

0 Nays

2 Absent – Keller, Sanders

ITEM 7. Mr. Felix Boughton – Executive Session:

- a. Update on Negotiations
- b. Sales Tax Issues
- c. Pending Litigation

MOTION BY: Wallace

SECOND BY: Triche

MOTION: To convene in Executive Session to discuss: a. Update on Negotiations; b. Sales Tax Issues; and c. Pending Litigation.

No objections.

The motion carried.

9 Yeas – Jack, Burl, DeFrancesch, Johnson, Wise, Wallace, Nicholas, Triche, Jones

0 Nays

2 Absent – Keller, Sanders

The board convened in Executive Session at 6:04 p.m.

Dr. Keller arrived at 6:20 and was recorded as present.

MOTION BY: Wise

SECOND BY: Triche

MOTION: To re-convene in Regular session.

No objections.

The motion carried.

10 Yeas – Jack, Burl, DeFrancesch, Johnson, Wise, Wallace, Nicholas, Triche, Jones

0 Nays

1 Absent – Sanders

The board reconvene in Regular session at 6:26 p.m.

ITEM 7. Board Items of Interest

None

ITEM 8. Adjournment - The agenda having been completed, and there being no further business, there was a

MOTION BY: Wise

SECOND BY: Wallace

MOTION: Motion for adjournment.

No objections.

The meeting adjourned at 6:28 p.m.

Kevin R. George, Secretary

Keith A. Jones, President