

PROCEEDINGS OF THE POLICE JURY OF THE PARISH OF BEAUREGARD, STATE OF LOUISIANA TAKEN AT A SPECIAL MEETING, WEDNESDAY, OCTOBER 23, 2024.

The Police Jury of the Parish of Beauregard, State of Louisiana, met in Special Session on Tuesday October 23, 2024, at four (4:00) o'clock AM.

Roll Call Attendance, there being present: Police Jurors: Michael E. Harper, Eddie Ware, James Hillebrandt, Ernest Dickerson, Jr., Jeffery Meadows, and Nelson Morgan.

There being absent: Shanel Handy, Elizabeth Montgomery, Jerry Shirley, and Kelly Bailey

1. The Police Jury of the Parish of Beauregard was duly convened as the governing authority of said Parish by Michael E. Harper, President.
2. Michael E. Harper gave the Invocation and led the Pledge of Allegiance.

PUBLIC NOTICE

October 23, 2024
SPECIAL MEETING

NOTICE IS HEREBY GIVEN that there will be a Special Meeting held by the Beauregard Parish Police Jury, located at 201 W. 2nd Street, DeRidder, LA 70634, on Wednesday October 23, 2024, 4:00 PM., in the Police Jury Meeting Room to transact business of the Police Jury in Special Session according to the following agenda:

4:00 P.M.

1. Roll Call
2. Invocation & Pledge of Allegiance
3. Public Participation
4. Discussion and approval of Ratcliff Recovery Services change order PCO #7 in the amount of \$164,612.00.
5. Approval of Ordinance No. 05-2024 to authorize an Act of Sale by the Parish of Beauregard to sell certain adjudicated properties by public auction and further providing with respect thereto. Parcel #6336102640: A part of lot five (5) in block nineteen (19) of the first Subdivision of Hudson addition to DeRidder.
6. Adjournment

BY ORDER OF THE PRESIDENT
PRESIDENT MICHAEL E. HARPER

MARGARET LYONS
PARISH SECRETARY
337-463-7019

3. Mike Harper asked if there was anyone in the audience who wanted to participate in the public participation section.

No one spoke during Public Participation.

4. Discussion and approval of Ratcliff Recovery Services change order PCO #7 in the amount of \$164,612.00.

President Harper opened the floor for discussion by briefing of the abatement situation of the Old First Baptist Church (Probation & Parole Building). Ratcliff Recovery Services had began the asbestos abatement process. They had bagged the asbestos and stored it in an area within the building when at some point, that section of the building collapsed. Ratcliff Recovery Services is requesting an additional \$164,612.00 for the cleanup.

Jeff Ragan - The area that collapsed was under the actual abatement itself. We stage the bags in one area and at the end of the day, we dispose of it for safety reasons. At about 3:15, the actual building collapsed. The area we were abating was assumed to have had hot materials in bags.

Luke Dickerson asked if the rest of the area where the bags were is considered contaminated.

Jeff - Yes

Matt Kauffman - With Border Priority Environmental Services. We are performing the process of the asbestos abatement. Unfortunately, because those bags were inside the building at the time it collapsed. The assessment that was made by the Environmental Consultant, that the building all be considered and treated as asbestos material, only the collapsed portion of the building. The remainder of the building can still be demolished conventionally.

Doug Hillebrandt asked why Ratcliff Recovery Services feels the Police Jury should pay the additional change order amount. You had the job to demo the building. It's not your fault it fell but it's not ours either. You were in the process of demolishing.

Matt Kauffman - I was in the process of removing sheet rock, that's not the same as demolishing the building.

Eddie Ware asked if you're removing sheet rock from the wall, that is definitely going to change the structure of the building. I would think as a contractor, you would take all precautions to secure that building. That's the job causing the collapse should not be considered the Parish's fault and now you want us to pay another \$164,612.00.

Matt Coffman - Sheet rock is a non-structural component. A structural engineer came out and reviewed the building after it collapsed and noted in their report that it was built with less than adequate material. There's no inspector that would have passed that building.

Doug Hillebrandt - Y'all inspected the building because you placed a bid on it to demo it.

Jeff Ragan - There's no way I could ascertain or see without doing demolition in the building itself in removing asbestos containing materials when I inspected it to find it was built with less than adequate materials.

Mike Harper stated that he feel when Ratcliff Recovery Services set the price of the property removal, we accepted that. You have then since, surrounded the building to keep everybody but yourselves out, for people you authorize. You have full control of that site. That property is under your control and your authority and now for some reason, a mistake has been made and you feel like we should pay additionally.

Jeff Ragan - I think it's important to know, (1) nobody got hurt that day. It's important not to forget, we had 7-10 guys in there at that point. In fact, we use that as a temporary staging area for our offices. None of us in this entire room had a clue that the structure of that building was the way it was in that particular section otherwise, we would not have been in there at all. Had we known, for instance, if there were 4 layers of sheetrock. When we started ripping the layers of sheetrock, and after the third layer when you get to the studs, then you can see what the structure is built out of which wasn't of adequate material. The only reason they got out of there is because they saw the studs started creaking and they saw the studs started to deflect and collapse and they ran out. It's nobody's fault in this room but the reality of it is that area is supposed to be cleaned up by C&D in our original price. It still needs to be abated and in the process of being abated, all included in the price. The problem is, when it collapsed, it then becomes what's called RACM (Regulated Asbestos Containing Material). It changes the way that it's actually removed from the site. So instead of being in just one bag or 100 bags in the dumpster, it's going to be dumps like truck loads of dumpsters and that's why it is more costly and that's why we didn't go with RACM originally because to RACM them, the entire building was going to be more expensive than just abating it and then doing the remaining parts of C&D. We have to do to what we need to do to make sure everybody stays safe.

Mike Harper reminded everyone of a previous issue with tarping the roof. It was tarped, nothing happened. The tarp rotted away. Then it was re-tarped again and that rotted away. Then Ratcliff says there was so much damage to the roof that it's unsafe to put our people up there to put a new tarp.

Jeff Ragan - I did ask them not to tarp it because tarping was not the answer. You're right and I couldn't agree more. We should have went with a TVO or membrane because it's a lot thicker and holds longer. There was no change order for that but it was something we had to do to finish the process on the second level. At the end of the day, no one wants to do a change order. We're trying to make sure everybody is safe and the job is done appropriately and

done right. There is no other solution for this, it has to be done in accordance with RACM and Wynne White Engineering representatives recommend. That is what we priced it out as. We do have some credits on the C&D side. We had to break it down to help y'all understand. It's also important to know the process because it's not as simple as it seem.

Jeffery Meadows - We signed a contract in July 2022 and here we are in October of 2024. The building was supposed to be demolished this month and it's taking two years to get this done.

Jeff Ragan - I don't disagree with that. There were a lot of things that played into that.

Andrea Couch stated, "The other thing about that timeline is, the State had under review the EHP (Environmental Historical Preservation), we did not get that pushed through until after the collapse and it went to FEMA, you all got information on that. That delay is because the State was holding the EHP, not the contractor."

Jeffery Meadows asked if the EHP went to the State after the collapse.

Andrea Couch responded "no, the State had the EHP about 45-60 before." When it collapsed, GOSEP had it for review.

Doug Hillebrandt asked if water was being bought to wet the material. Are the city hydrants not working?

Matt Kauffman - Yes sir. We have to rent a water truck. In the RACM (Regulated Asbestos Containing Material) process. On asbestos containing materials, you have to wet it down to keep it wet as you're removing it so that it stays. And because there's no working fire hydrants in the area and a water hose won't put out enough water to do what we need.

Doug Hillebrandt asked if this is considered to be a separate isolated job of 5000 sq ft. Would that be the cost to move it if it were a different building location.

Jeff Ragan - If it did not have asbestos, no. If we didn't have to do the water truck.

Doug Hillebrandt, what I'm saying is, you bid on it to tear it down anyway.

Jeff Ragan - But not in the RACM form. This is a totally different form of removal of material. Once it becomes contaminated, and the bags and everything that is in that area, it then becomes what LDEQ (this is not something we want to do, I promise y'all). Work was being done inside the containment. We bag and store it inside the containment until you're completely done and at the end of the day, everyone get in their spot and run the bags out through proper three chamber process. It's a process to get those

bags out. You can't just walk out of a door. There's three chambers and you have to go through the process.

Jeff Ragan - Each bag has to be separately decontaminated prior to leaving the negative pressure containment before being disposed of. It's industry standard to bag the removed material and get it ready to load out then make one mass load out at the end of each day. My cost goes up which means the cost to you would go up.

Mike Harper responded, "I don't have that impression in our contract that it just goes up at your will." To me, we set a price for y'all to do all this work and you agreed to do it.

Jeff Ragan - My point is that when I bid the job, the price is based on doing this the most cost effective way.

Mike Harper, but your building is Ratcliff, right? So the issues are between you two right there.

Jeff Ragan - I don't know how to explain this to collectively make sense for y'all. At this point, we've done what we said we were going to do without any other issues, as best we could. If this is something that y'all are going to refuse, I guess that's a decision y'all are going to have to make and we will have to make our decision based on y'all decision.

Mike Harper asked legal counsel, David Morgan, if he has comments regarding the discussion.

David Morgan responded, "I really don't." The contracts were signed before I came on board. I scanned for particular things on amendments that have been done but I haven't looked at it in its entirety so I really can't comment on it.

Mike Harper asked David Morgan if more time could be given, would he have time to review the contract to see if we're obligated to spend this kind of money.

A motion was made by Jeffery Meadows to table this item pending legal review. The motion was seconded by Luke Dickerson. No one opposed. Motion carried.

Eddie Ware asked if work would continue in the Sanctuary.

Matt Kauffman - Work has already been completed. No other work can be done due to concerns of more collapse of the structure. DEQ require it must be fully abated.

5. Approval of Ordinance No. 05-2024 to authorize an Act of Sale by the Parish of Beauregard to sell certain adjudicated properties by public auction and further providing with respect thereto. Parcel #6336102640: A part of lot five (5) in block nineteen (19) of the first Subdivision of Hudson addition to DeRidder.

Mike Harper states the documentation has been shared in the packets for review. Until this meeting was requested, I had no knowledge of this coming up. To share with the Jury, sometime back, with the previous jury, we engaged with a company to go and evaluate adjudicated properties and try to sort the ownership and get them to a point to where the taxes are paid or the property can be sold as adjudicated property. I assume this is what we're looking at today. I'm a little bit concerned that it mentions of selling it to a private individual and it names them for a price. I'm not aware that the property was actually posted for sale to anyone or in the legal papers so I'm a little bit concerned about this process. This is the first one that we've done. When we engaged with this company, I haven't heard from them since and this is a first.

Margaret Lyons responded, this is the second. There were two properties sold late last year.

Eddie Ware asked how much land is it?

Mike Harper says it's a very small piece of land.

Luke Dickerson asked if the property sale was advertised.

Margaret Lyons states, when it's advertised, I'm supposed to get a copy of the advertisement to confirm it was done. But I don't recall getting it for this property, I'll have to go back and look to make sure. They usually send me proof of publication or have the journal send it to me. However, just before the meeting today, I received a call from the property owner who said he had been communicating with E&P Consulting and the property was not to be sold until November. I called and spoke to the representative there and she indicated they are given a deadline to meet. Sometimes they say they will purchase the property back but don't. So this individual was given a deadline and still has the opportunity to purchase the property back before it's filed at the courthouse.

David Morgan says he's familiar with E&P Consulting. He's previously spoken with the owner. It sounds that they're either in the six month or the sixty day redemption period. So what happens is, if there's adjudicated property out there, E&P Consulting will go and send the title work to find out who the owners were and offer them to pay the taxes or send out a notice. If it's been delinquent for a period 3-5 years, there's a six month redemptive period. If it's over five years, it's a sixty day redemptive period. So that person get a notice in the mail, they have the opportunity to go back and pay the taxes. It can't be sold before that redemptive period passes. Sounds like what Mrs. Lyons is saying is that the redemptive period hasn't expired yet. So this may be premature.

OB Morgan says he's curious of the bid of \$4,000, is that the taxes owed on this piece of property?

David Morgan responded, it depends. There are sources that do online auctions and it's just basically, people bid on how much they're willing to pay. This is adjudicated property which means it can be a number of things. But typically, somebody didn't pay the taxes on it and it went to tax sell and nobody bought it so it gets adjudicated back to the parish. If it's in the City, the City may have some interest in it for city taxes. So it's basically y'all's property that you basically have no responsibility for.

Mike Harper, the only part that troubles me is that I don't have any evidence that it was ever advertised openly for sale, for bid and we have a purchaser and a bid price. So to me, it almost seems unfair.

David Morgan, I think we need to get more information from E&P. We can get more information from Wesley Johnson. I suspect that the redemptive period hasn't run so I suspect this is probably early and that's why you don't have more information. So I would recommend that you defer this.

A motion was made by Eddie Ware pending more information and legal review. Seconded by Doug Hillebrandt. No one opposed. Motion carried.

6. Adjournment

A motion to adjourn was made by Eddie Ware and seconded by Jeffery Meadows.

MARGARET LYONS
PARISH SECRETARY

MICHAEL E. HARPER
PRESIDENT