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Louisiana municipal officials headed to San Antonio to attend NLC Congress of Cities & Exposition

Excitement is in the air. Many Louisiana mayors and municipal officials are headed to participate in the nation's largest convention for local government officials – the National League of Cities' 86th Annual Congress of Cities and Exposition on November 10-14 at The Henry B. Gonzalez Convention Center in San Antonio, TX. Registration and housing reservations for that conference have occurred at a brisk rate. If you haven't signed up for this event, it is not too late to register for this outstanding opportunity to participate in this annual gathering of the nation's towns and cities in the neighboring state of Texas.

The LMA urges interested mayors and municipal officials who have not yet registered to do so onsite at the convention center.

"This Congress of Cities is an ideal event for all local leaders," said LMA President Susan Menard, mayor of Cankton. "In San Antonio, you will obtain much information and excellent networking opportunities to help your municipality survive and thrive in a time of economic crisis. I certainly plan to look for great ideas and best practices that will benefit my village."

"Navigating Through Economic Recovery: Solutions for Moving Communities Forward" is the theme of this year's Congress of Cities,

See **SAN ANTONIO**, Page 5

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LMA supports campaign to urge seat-belt enforcement, reduce crashes, save lives

Susan Menard, LMA president and mayor of Cankton, stands with Lieutenant Colonel John LeBlanc, the governor's highway safety representative and executive director of the Louisiana Highway Safety Commission, moments after the LMA Executive Board unanimously adopted a resolution endorsing the LHSC's "Click It or Ticket" Enforcement Mobilization Campaign on October 7 in Baton Rouge. The campaign seeks to urge stronger safety-belt enforcement in 2009-2010. The resolution calls on Louisiana municipalities and law enforcement agencies to support the effort to promote not only greater compliance with seat-belt usage but also the safety of drivers and passengers in motor vehicles. This campaign will observe five safety-belt enforcement waves in the coming year and was established to improve Louisiana's safety-belt use rate of 74.5 percent, which indicates an alarming lack of compliance by many drivers in the state. In 2008, traffic crashes cost Louisiana citizens \$6.43 billion, or \$2,264 for every licensed driver in the state. Please refer to the "LMA President's Message" on page 2 of this issue for additional information on this campaign.



A true friend, the consummate gentleman

Former Governor Dave Treen dies at 81

Louisiana's municipalities mourn the death of David C. Treen, a consummate gentleman who maintained not only a remarkable work ethic but also bipartisan friendships throughout his long political career. Mr. Treen, who served as governor in 1980 to 1984, died on October 29 at the age of 81.

Tributes by the many to Mr. Treen recall his deep and abiding conservative beliefs, ability to develop and maintain longstanding bipartisan friendships, advocating the value of a free enterprise system and limited government, and passion for public service.

"Governor Treen was a visionary leader and a tireless advocate for Louisiana," said Governor Bobby Jindal, who

See **TREEN**, Page 5



Set for November 16-18! Registration is free!

New Orleans is host for national conference on brownfields

New Orleans awaits your attendance and participation at The "Brownfields 2009: Sustainable Communities Start Here" national conference taking place at The Morial Convention Center on November 16-18.

This free conference, sponsored by the U.S. Environmental Protection Agency and the International City-County Management Association, will provide many networking and business development opportunities, including the Brownfields Transaction Forum and the Brownfields Exhibit Hall, over 150 educational sessions, including panel and round-table discussions, mobile workshops, walking tours, and volunteer

activities designed to enable delegates to witness redevelopment progress in New Orleans. This conference is the largest conference pertaining to economic and environmental revitalization of formerly utilized properties and the creation of more sustainable communities.

The LMA has publicized this event over the last several months and strongly urges its members to register for and participate in this dynamic event. Municipal leaders and officials can obtain the latest information and knowledge about brownfields revitalization.

See **BROWNFIELDS**, Page 5

LMA sets final seminars of 2009 on November 19

The LMA announces the final two topics for its 2009 Training Seminars/Webinars. All interested mayors, municipal officials, and municipal employees are encouraged to participate in these two seminars/webinars on Thursday, November 19, at the LMA Office Building in Baton Rouge and via the Internet.

THURSDAY, NOVEMBER 19:

- "The ABCs of Municipal Annexation," 10:00 a.m.-12:00 noon.
- "Personnel File Management and Human Resource Issues," 1:00-2:30 p.m.

Please turn to page 7 for more details on these seminars – a course synopsis for each seminar, registration form for onsite participation at the LMA Office Building, and sign-up instructions for webinar participation. These training seminars are the last to be scheduled for 2009, so please make every effort to enroll in these outstanding educational opportunities.

Details: Tommy Darensbourg, LMA Communications/Education Director, (225) 344-5001, (800) 234-8274, tdarensbourg@lma.org.

Twelve municipalities selected for LED's Development-Ready Communities Pilot Initiative

By **TOMMY DARENSBOURG**
LMA Communications/Education Director

A pilot program engineered by Louisiana Economic Development has selected 12 communities to work with the state agency in a customized and intensive effort to help them compete with out-of-state communities for business. LED Secretary Stephen Moret said, "This program represents the next step in our efforts to enhance the competitiveness of our local communities. By equipping these 12 communities with the resources they need to compete at the local and national level, we are helping them become better places to live, work, and do business."

The goal of participation in this pilot program are economic growth and competitiveness – good jobs, business development projects, and capital investment.

The 12 Louisiana communities selected include Arcadia, Mansfield (with Grand Cane, Logansport, and Stonewall), and Vivian in the

See **LED**, Page 7

MARK YOUR CALENDARS!

LMA MID-WINTER
CONFERENCE
FEBRUARY 2-4, 2010
THE CROWNE PLAZA,
BATON ROUGE

More information on this event
will be in next month's
Louisiana Municipal Review!

The **Louisiana Municipal Review**, the official publication of the Louisiana Municipal Association, serves as a medium of exchange of ideas and information for municipal officials in Louisiana. Published monthly, the **Louisiana Municipal Review**, circulation 3,525, is read by all Louisiana mayors, municipal governing body members, municipal administrators, municipal clerks, city attorneys, chiefs of police, chiefs of fire, other key municipal employees, sheriffs, parish presidents, state government officials, members of the state Legislature and Congressional Delegation, and others.

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President's Message

Supporting the safety-belt use message

Click It or Ticket is the message every Louisiana motorist needs to heed not just in the coming year but always. Mayors and municipal law enforcement agencies have the opportunity to perform a vital duty and public service by urging local citizens to buckle up when they're going to be in traffic. That is the goal of the Louisiana Highway Safety Commission, which is committed to developing and implementing a comprehensive strategy aimed at saving lives and preventing injuries on our highways, pursuant to the mandate in the National Highway Safety Act.

Did you know that Louisiana has a safety belt use rate of 74.5 percent? So many tragic accidents and deaths occur on our streets and roads, and many injuries could have been less severe and many deaths could have been averted had drivers and passengers taken the time to buckle up their seat belts. In addition, figures show that traffic crashes cost the citizens of Louisiana \$6.43 billion in 2008, or \$2,264 for every licensed driver in the state.

Motor vehicle injuries and deaths are the leading causes of suffering and loss of productivity in our communities. Safety belt use has proven to be the best defense against motor vehicle deaths and injuries. That is why the Louisiana Highway Safety Commission has embarked on a campaign to promote stronger enforcement of safety belt use to convey the life-saving value of safety belt use by all drivers and occupants.

This campaign is one that every municipality can support. The "Click It or Ticket" Enforcement Mobilization Campaign seeks to reverse the alarming lack of safety belt compliance. The LHSC, through Louisiana State Police and cooperating local law enforcement agencies, will observe five safety belt enforcement waves in the coming year, specifically:

- November 2-8, targeting teenagers 15 to 20 years of age.
- November 15-30, targeting adults during the Thanksgiving holiday travel season.
- March 1-7, 2010, targeting teenagers 15 to 20 years of age.
- May 16-31, 2010, targeting adults during the Memorial Day

holiday travel season.

September 18-25, 2010, stressing child passenger safety.

On October 7, the LMA Executive Board heard a sobering report on seat belt safety from Lieutenant Colonel John LeBlanc, executive director of the Louisiana Highway Safety Commission, who cited many statistics regarding loss of lives and productivity and occurrence of injuries resulting from failure to wear seat belts. The magnitude of these problems in Lt. Col. LeBlanc's report prompted the Board to unanimously endorse a resolution of support for the Click It or Ticket Enforcement Mobilization Campaign. This LMA resolution urges municipalities and local law enforcement agencies to participate in and support this campaign to increase compliance with vehicle safety belt usage.

I would urge your municipality and law enforcement agency to support this endeavor. Let us do everything that we can do – through proper enforcement, public information, and driver and passenger education – to reduce traffic crashes, deaths, injuries, and property damage.

Sincerely,



SUSAN MENARD
Mayor, Village of Cankton
LMA President

Auditor's Advice

Mining Annual Financial Reports – Part I

By **STEVE J. THERIOT, CPA**
Louisiana Legislative Auditor

If you've never taken a governmental accounting course, audited annual financial reports can appear daunting. However, with a little inquisitive digging, you can come away with some useful nuggets of information. Here is how you can locate some basic information on your municipality's financial condition.

Review the Table of Contents

What's in an Annual Financial Report? Annual Financial Reports for municipalities have many of the same components, but may also vary.

However, you should be able to locate the following components by browsing the table of contents:

- Independent Auditor's Report
- Management Discussion and Analysis
- Governmental-Wide Financial Statements
- Fund Financial Statements
- Notes to Financial Statements

Let's look at each one and see what useful information is available.

Read the Independent Auditor's Report

What type of opinion did the auditor issue? As you read the Auditor's Report, look for the paragraph that begins "In our opinion..." The opinion will say whether or not the auditor found that the financial statements present fairly, in all material respects, the financial position of the municipality.

Read the Management Discussion and Analysis (MD&A)

How does management describe the municipality's financial condition? The Management Discussion and Analysis presents the financial highlights of the municipality for the year. It also provides an overview of the financial statements presented explaining the role of each. Typi-

cally, the MD&A describes whether a city's **Net Assets** – the difference between what it owns and what it owes – have increased or decreased and by how much.

Review the Government-Wide Financial Statements

What's been the impact on Net Assets since the prior year? You should be able to see the change in Net Assets that was described in the MD&A by looking at the "Statement of Net Assets" within the Government-Wide Financial Statement section.

Review the Fund Financial Statements

What are the municipality's key funds? The MD&A will describe the types of funds of the municipality (e.g., General Fund and Utility Fund). What caused the change in fund balance of the General Fund? Look at the "Statement of Revenues, Expenditures, and Changes in Fund Balances" for the General Fund:

- Start from the bottom up and see if the ending fund balance grew or shrank in comparison to the beginning of year fund balance.
- Then see if **Total Revenues exceeded Total Expenditures**.
- Finally, look at the **Other Financing Resources** to fully account for the change in fund balance.
- Do this for funds other than the General Fund as well.

Read the Notes to Financial Statements

What matters are covered in the notes? The financial statement notes are a part of the financial statements. Read through each note to see important details about key issues addressed in the financial statements.

Reference Source: "What You Should Know About Your Local Government's Finances – A Guide to Financial Statements," Dean Michael Mead.

Details: Michael D. Cragin, CPA, CISA, Senior Advisor, Advisory Services Division, Louisiana Legislative Auditor's Office, (225) 339-3861.



Susan Menard

Governor's Column



BOBBY JINDAL
Governor of Louisiana

Louisiana moves up in Forbes' best states for business ranking

In the latest *Forbes* magazine ranking of the Best States for Business, Louisiana jumped five spots – from 49th in 2008 to 44th in 2009. The improved standing represents Louisiana's highest position since *Forbes* first created its Best States ranking in 2006, and it follows Louisiana's recent trend of positive movement in several national business climate rankings. *Forbes* ranked Louisiana 50th in 2006, and 49th in 2007 and 2008.

"Improving Louisiana's business climate has been one of our top priorities since taking office last year," said Governor Bobby Jindal. "While we are pleased with Louisiana's recent progress, the latest *Forbes* ranking also indicates that we've got more work to do to make Louisiana's business climate the best in the nation. But we're headed in the right direction and there is no doubt that our efforts to improve Louisiana's economic environment are working."

The ranking evaluates the 50 states on six different categories, including business costs, labor supply, regulatory environment, economic climate, growth prospects, and quality of life.

Louisiana's improved standing was the result of significant jumps in three categories. Louisiana's growth prospects ranking moved up from 17th to 8th in the nation. This category reflects expectations for the state's future performance in job growth, income growth, and gross state product growth, among other factors. Louisiana's economic climate ranking also climbed from 50th to 34th, which primarily reflects Louisiana consistently outperforming the nation and the South in employment and unemployment trends since the beginning of the recession. Louisiana also moved up from 43rd to 36th in regulatory environment, which evaluates regulatory and tort climate, incentives, transportation, and bond ratings. Louisiana benefitted in this category from recently enhanced incentive programs and a recent increase in state bond ratings by the major rating agencies.

Because several of the other measures considered in the *Forbes* ranking are based on data or other third-party rankings that are two to five years old, the overall *Forbes* ranking does not fully reflect the public policy reforms and economic development initiatives implemented by Governor Jindal and the Legislature since early last year. For example, since *Forbes* evaluates several of the ranking's factors over a five-year period, Louisiana's overall standing has been depressed

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Director's Viewpoint

Expanding cultural markets is key to successful economic development

By **TOM ED MCHUGH**
LMA Executive Director

The National League of Cities' 86th Annual Congress of Cities and Exposition on November 11-14 reminds me of country crooner Charley Pride's hit – "Is Anybody Going to San Antone?" For those who remember, it's a song where the singer says that "any place is all right as long as I can forget I've ever known her," a woman who "has done him wrong."

San Antonio, in our neighboring state of Texas, is an enchanting city that is sure to make one forget – for a few hours or even a few days – some of life's worrisome circumstances. As the host city of this year's Congress of Cities, San Antonio is sure to provide a pleasant getaway and change of scenery – and the opportunity to learn much about this historic city's culture and heritage.

Just as in Texas, Louisiana has a strong cultural identity which is driving and continuing to contribute to economic development.

That's the word from Lieutenant Governor Mitch Landrieu, who oversees the Department of Culture, Recreation, and Tourism. In October, Lt. Gov. Landrieu addressed citizens and local officials at the Alexandria Museum of Art, where he spoke about Louisiana's cultural

economy and indicated how tourism and the arts are vital to the state's economic progress.

The lieutenant governor said it best when he noted that people from around the nation and the world come to Louisiana instead of cities and towns in other states because our state is an authentic, real place blessed with a deep-seated culture. This realization has helped the state and its communities realize the immense value of our culture. Through effective marketing and targeted advertising and by drawing people from near and far, the state and its communities can generate much-needed dollars from cultural tourism.

Encouraging cultural development, which often spurs economic development, has been the mission of the Lieutenant Governor's office for the past several years. Louisiana's economy has benefitted from the impact generated by local art, music, food, and preservation of historic properties in so many of our villages, towns, and cities.

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Tom Ed McHugh

From the Archives

New development to aid entrepreneurs and businesses

By **JAY DARDENNE**
Louisiana Secretary of State

With a November target date set for the availability of online filing for registration and renewal documents for your local businesses, our Commercial Division in the Secretary of State's Office is taking a mighty leap into the future.

This latest development makes registering businesses and maintaining current information easier for our customers by providing an Internet portal that can be accessed from anywhere in the world.

The Commercial Division is the registration agency that all entrepreneurs and businesses wishing to conduct operations in Louisiana must contact for authority. Currently, registrants must complete and submit the required paperwork by one of three methods – mail, fax, or personal appearance. Our new online system will give them the fourth option of filing via the Internet.

The first phase of this online filing option will be available for original filings of profit and non-profit corporations, both domestic (Louisiana) and foreign (out-of-state), and domestic limited liability companies.

Also included in this phase is a particularly exciting feature – online filing of annual reports. Existing businesses will be able to make necessary changes to information on file with our office directly on their computers. Previously, this was achieved only by submitting an annual report form through the mail.

The next phase will involve expansion of the type of entities and other services that will be available online. These services will be available 24/7, with no increase in any of our registration fees. In fact,

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Jay Dardenne
Secretary of State

Treasury Notes

Right-sizing Louisiana government means reducing state labor costs

By **JOHN N. KENNEDY**
Louisiana State Treasurer

Louisiana ranks first in the South and eighth in the nation for the number of state employees per 10,000 population. Our state also faces a budget shortfall of \$3 billion to \$4 billion over the next several years.

Should our leaders continue to arbitrarily cut higher education and health care to address yet another budget crisis? Or should they choose the more thoughtful, strategic approach, by right-sizing Louisiana state government, beginning with the cost of labor?

I support the latter approach. As State Treasurer, I chair the Louisiana Streamlining Government Commission's subcommittee on efficiency and bench-marking which has recently recommended eliminating 5,000 state government positions each year for the next three years.

Reducing the number of state government positions by 15,000 over three years will save the taxpayers of Louisiana between \$600 million and \$1 billion. No state employee will be fired or laid off – we would simply eliminate these positions by not filling vacancies. Louisiana has a turnover rate in state government employment of between 15 percent and 22 percent, depending upon whose study you believe, so there will be plenty of vacancies to not fill.

Under our proposal, department heads would be directed to fully re-

examine their department functions and adopt modern organizational standards, like limiting layers of management, increasing span of control, consolidating smaller units, and implementing process engineering. In addition, 20 percent of the savings achieved from these position eliminations will be used to increase the salaries of remaining employees who assume new responsibilities as a result.

Finally, these position reductions would not be allowed to reduce the quality of the services or products provided. No state department head earns less than \$115,000 a year, and if any of them claim to be unable to achieve these reductions without reducing quality, they will be asked to immediately notify the governor so they can be replaced with someone who can.

Over the past two decades, many large institutions in both the public and the private sector have had to reinvent themselves or die. Right-sizing government makes sense even in the best of times, but especially when our state is looking at billions in lost revenue over the next several years.

Families do it. Small businesses do it. It's time for Louisiana state government to do it.

Details: Amber King, Public Information Officer, Louisiana Department of the Treasury, (225) 342-0012, aking@treasury.state.la.us.



John Kennedy
Treasurer

VIEWPOINT: *continued from page 3*

The current investment the state is making in cultural economy efforts are funds that are being well-spent to advertise and market the best that Louisiana has to offer – not only to tourists and frequent visitors, but also prospective manufacturers and businesses considering relocation to the state.

Some examples of “cultural product districts” abound in Louisiana. Projects such as the preservation of Main Street in Pineville, the revitalization of Front Street in Natchitoches, and events held in downtown Alexandria and other major cities in the state, are stepping stones to promote economic development. Many communities are enjoying the influx of people returning to downtown districts that have been rebuilt or revamped and featuring art, culture, music, and a variety of other events.

Last month, Lt. Gov. Landrieu hosted once again the World Cultural Economy Forum in New Orleans, where more than 25 countries sent delegates and where government and business leaders enjoyed a unique opportunity to urge international investment in Louisiana. This reaching out to international markets has been lacking for some time, and this annual forum has become the ideal vehicle to draw international interest in local cultural initiatives.

The Cultural Economy Summit aims to provide practical tools and ample opportunities for professional networking with other Louisiana cultural stakeholders during challenging economic times.

It is said that cultural economy is the intersection of culture and commerce, and the World Cultural Economy Summit over the years has offered like-minded leaders from around

the world the opportunity to network with Louisianians and share best practices, explore new partnerships, and expand markets.

Of course, it will be another year before the next World Cultural Economy Forum occurs, but any municipal official interested in cultural tourism and activities to boost the economy of their municipalities need look no farther than neighboring towns and cities that have met with success in their cultural economy initiatives.

Throughout the state are excellent examples of visual arts and crafts, dance, literature, music, film, interactive digital media, folklife and humanities, fairs and festivals, design and preservation, and culinary arts that have contributed to the establishment of cultural centers here.

In an era of diminishing federal and state assistance to local governments, municipal leaders must look within their own communities to refine a vision, make the necessary investment, develop a marketing plan, and showcase their cultural assets as a means to expand local economies and promote further economic development and business recruitment.

Like San Antonio, the Texas city of the Alamo and the Riverwalk, every Louisiana municipality has the potential to be places “that are all right” and possessing the ingredients to become centers of not only cultural tourism but also economic opportunity.

If you are traveling this month to San Antonio for the National League of Cities conference, please tell your fellow NLC delegates about all of the wonderful things that are occurring in your communities and our state. I strongly believe that if you tell it, they will come!

GOVERNOR: *continued from page 3*

negative economic impact caused by hurricanes Katrina and Rita.

“One of our top goals is to enhance Louisiana’s economic competitiveness and lay the foundation for a business climate that, in time, will be recognized as one of the best in the nation,” said Economic Development Secretary Stephen Moret. “LED’s State Economic Competitiveness Group is identifying the necessary policy changes that we need to adopt now in order to compete for the knowledge-based jobs and industries of tomorrow.”

Louisiana’s position has improved across a variety of national business climate rankings over the last 18 months, including CNBC’s America’s Top States for Business, Kauff-

man’s State New Economy Index and State Policy Reports’ Index of Economic Momentum.

In addition, Louisiana currently ranks in the top five on the Better Government Association’s BGA-Alper Integrity Index ranking, and the Center for Public Integrity recently announced that Louisiana’s legislative disclosure requirement went up from 44th to 1st in the nation. Louisiana also recently won the “Co-State of the Year” award from *Southern Business and Development*.

(Editor’s Note: This article comes from the news-releases section of the Louisiana Economic Development website, www.louisianaeconomicdevelopment.com.)

Municipal retirement system explains Act 270 of 2009 regular legislative session

This year, the Legislature passed and the governor signed into law Act 270 of 2009 which provides a retirement option for members of the Municipal Employees Retirement System. The act, which originated as House Bill 96 by Representative J. Kevin Pearson of Slidell, creates new law and became effective on July 1, 2009. It applies to state and statewide public retirement systems.

A memorandum sent to all municipalities by MERS Director Robert L. Rust in mid-October explains the new law.

“Act 270 ... provides a retirement option that would allow a member upon application for retirement or DROP (Deferred Retirement Option Program), to elect a retirement payment option whereby his or her benefit would be **actuarially reduced, but would receive a 2.5 percent COLA (Cost of Living Adjustment) annually on the member’s anniversary date of retirement.** Such COLA would be payable when the retiree reached the age of 55 or immediately on the retiree’s first anniversary date if he or she was 55 or older at the time of retirement. A retiree selecting this option will also receive any additional COLAs that may be granted by the system’s Board of Trustees.”

Act 270 is posted and can be downloaded from the MERS website, www.mersla.com.

Details: Anyone interested in this option should call MERS, (225) 925-4810 or (800) 820-1137 for further information and/or an estimate of retirement benefits.

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most registrants will actually save money due to elimination of the need for any type of expedited service, for which we previously charged \$30 or \$50.

Here is a sample filing that will apply to all initial registrations for corporations and limited liability companies that will illustrate the mechanics of the process. First, the applicant will go to our website, www.sos.louisiana.gov, and click on the “Commercial Online Filing” button. Here, the individual will be directed to a list of entity types for selection. Upon selection, a blank form looking very similar to the current paper application will appear on the applicant’s terminal. After completing the form by supplying standard information, as well as supplying credit-card payment information, the applicant will click “submit.” The filer will then be given an opportunity to review the document as it is to be submitted.

Behind the scenes, the submission will be routed in two directions. One will go to the e-mail address of the registered agent, i.e. person of record for contact related to legal matters, who will confirm acceptance as the agent. Simultaneously, the other will go directly to our office for verification of name availability. Once the agent acceptance is confirmed, it will be routed to our office as part of the filing, our staff will confirm the name availability as the registration is listed in the work queue and the filer’s credit card will be charged. This name confirmation will be a very quick process due to enhanced searching capabilities within our new platform.

After these steps occur, the applicant will receive an e-mail advising that the registration is complete, and will then be able to print a black-and-white certificate of registration.

Our annual report process will also change. An annual report renewal card will be mailed to the business. This card will provide a specific website, where the charter number and a unique

Capital Area Corporate Recycling Council offers recycling options for municipalities

Old computers, printers, cell phones, digital cameras, and other electronic equipment are filling our landfills everyday. Sadly, only 18 percent of these items that otherwise would have been sent to landfills is recycled.

In the U.S., over 400 million computers become obsolete each year. Due to rapid technology advances, the life span of a computer is shrinking to two years. Today, landfills are also the final resting place for cell phones. Some 50 million Americans own cell phones and

25 percent have one or more phones that are not activated. Computer equipment contains hazardous materials and may contaminate the environment. A simple solution to this increasingly expensive and difficult problem of landfilled electronic waste is to recycle and refurbish these computers.

The Capital Area Corporate Recycling Council (CACRC) is a nonprofit organization committed to reducing the stream of e-waste to landfills through environmentally sound recycling, and by providing recycled computers and equipment to schools, nonprofit institutions, and low-income families. One of the leading computer refurbishers/recyclers in the country, CACRC was featured as a top Green Non-Profit on the Sundance Channel’s “Big Ideas for a Small Planet.” Go to www.youtube.com/watch?v=1BdmHW3MROI to view this program.

Samples of the material that the CACRC accepts are PCs, monitors, scanners, print-

ers, fax machines, keyboards, mice, phones, phone systems, cell phones, and cords/cables – basically, just about anything with a circuit board. However, the CACRC does not accept television sets or screens, video recorders, copiers, or white goods.

Upon reviewing the existing information, the user will have the choice of accepting it as presented or editing it. After any edits, the user will be able to preview the information and accept as presented. In the case of changes to the registered agent of the business, a similar acceptance process used for initial filings will be initiated. Finally, users satisfied with the updates will click a submit button, be taken to a credit card-payment window, and will be processed after successfully paying the document.

We are also making other changes indirectly related to online filing. The Commercial Database will have a new look, or “skin,” as it moves to a web-based interface. The process for ordering Good Standing Certificates will have the same skin. We implemented these changes in early September when we made the internal switch to online filing. Since that point, certified copies have been stamped with our seal, instead of having the gold seal sticker. Certified copies will still be blue-backed, but we will bring legislation in the 2010 regular session seeking to amend the Code of Evidence to recognize a black-and-white copy without a blueback or gold seal to still be considered “under seal.”

This online filing platform is designed with the user in mind. It will result in increased efficiency for both new and existing businesses by decreasing any lag time that can occur between the actual completion of the documents and final registration with our office. Again, there is no increase in registration fees.

It is our vision to make things easier for entrepreneurs and businesses, and to make our internal process more efficient.

Details: Questions concerning commercial online filing should be referred to Deputy Secretary Steve Windham, (225) 362-5105.

The CACRC re-uses and recycles electronic waste by providing schools, technical colleges, low-income families, the disabled, Head-Start programs, and non-profits with computer equipment. Our program has donated thousands of computers to Louisiana schools.

In the aftermath of the two hurricanes that devastated the state in the summer of 2005, CACRC refurbished and donated over 3,500 computers to impacted schools, libraries, non-profits, and families, helping them rebuild their organizations and lives. This year, CACRC has distributed over 1,000 computers to low-income families.

The CACRC can design a program for local municipalities whether it is an electronic recycling event for the general public or recycling outdated municipally-owned equipment. Clear out your warehouse and donate your old computer and electronic equipment to CACRC. Many municipalities already participate in CACRC. Don’t throw away your e-waste – donate it to CACRC.

Details: Executive Director Nancy Jo Craig or Outreach Coordinator Clayton Forbes, CACRC, (225) 379-3577, cforsbes@cacrc.com. To learn more about CACRC, go to www.cacrc.com.



The *new* case for bike paths: Community health and the built environment

By **PATRICK C. MOORE, FASLA, APA**
Moore Planning Group

How much does your city's built environment contribute to the health of your citizens? It's a question asked frequently as local leaders recognize the connection between planning and public health. Sidewalks, parks, and bike paths are no longer considered superfluous. They are seen as having real impact on the well-being and productivity of citizens, and on the image and the economic strength of communities.

The connection between planning and public health has been slowly building steam. In fact, an analysis of the built environment is emerging as an indicator in public health scorecards. The Pennington Biomedical Research Center's "Louisiana's Report Card on Physical Activity and Health for Children and Youth," released in September, is one. The state earned an overall grade of D, and we performed especially poorly in "built environment and community design."

The report found that in Louisiana 38 percent of young people live in neighborhoods without sidewalks or walking paths, and that children who lived below the poverty level had less access than others to parks and playgrounds. It also revealed that only half of the

state's high-school students attended physical education classes five days a week, and that only six percent of them biked or walked to school. These factors and others have contributed to a grim statistic: One-third of Louisiana adolescents are overweight or obese. Many will remain in this category as adults, and will be more likely to acquire preventable diseases like Type II diabetes, heart disease, and some forms of cancer.

Transforming our communities into places that facilitate better health won't happen overnight, but taking small steps now can move us forward. As you consider public projects like placement of parks, updates to recreational facilities, community master plans, and land use plans, do so with an eye toward health and wellness. You might:

- Invite the public health community to educate city planners about local health statistics. Such discussions can create strong information



PATRICK MOORE

exchanges and help your team make informed decisions about how planning can help curb top health issues.

- Consider a Health Impact Assessment (HIA), a tool growing in popularity nationwide which helps cities and towns benchmark the built environment's impact on public health. Another helpful tool is the recently released "Louisiana Human Development Report," which evaluates the quality of life of everyday people in our communities. See www.measureofamerica.org to examine how your parish is faring.

- Begin to map parks and recreational facilities in relation to income level. Very often, a community's best parks are located in affluent neighborhoods, while those in low-income neighborhoods have languished. This trend is partly due to the belief that parks attract illegal behavior. However, developing young people who live in high-crime areas need positive outlets, and we know that design elements,

like lighting and placement of parking lots, can improve safety significantly and ensure parents participate.

- Focus on an infill approach to older neighborhoods. Density means savings to the municipality, which can free up funds to improve parks and install sidewalks in these areas over the long term.

- Encourage developers to implement amenities that facilitate exercise, including sidewalks, peripheral paths, or walking trails. Pennington researchers have found that people benefit significantly from exercise in smaller increments, including three 10-minute walks a day.

In the past, the examination of public health has fallen to public health experts, but the issues are so pervasive that we need an all-hands-on-deck approach. When municipalities begin to integrate health goals into the built environment, we will start to move the needle.

(Editor's Note: Patrick C. Moore is principal of the Moore Planning Group, LLC, landscape architects and site planners, with offices in Alexandria and Baton Rouge. The firm's website is www.mooreplanninggroup.com.)

SAN ANTONIO: *continued from page 1*

which will present substantive workshops featuring experts and experienced city officials and staff sharing the latest information on solutions to the challenges that affect your municipality as well as the most current facts and analysis of national and regional trends that are shaping communities. Professional development training sessions will address local concerns and strengthen leadership skills. You'll also have the opportunity to compare costs and services among some 200 vendors which provide services and programs that serve the needs of cities and towns.

In addition, the event will feature more than 20 Leadership Training Institute seminars offering in-depth professional development and skills training.

cost to LMA for breakfast meals in these prestigious hotel facilities has steadily increased in recent years, and LMA has borne additional expense by keeping the per-delegate cost affordable at \$25.00. Beginning next year, however, it may be necessary for LMA to charge its members the full cost of this meal.

More information about the program, registration, hotel accommodations, and exhibits is posted at www.nlccongressofcities.org. First-time attendees can take advantage of the \$375 first-time attendee rate.

Important Note: The LMA received an alert from NLC advising that a company called "Convention Expo Travel" has contacted NLC delegates stating that in order

BROWNFIELDS: *continued from page 1*

Conference registration is free! Conducted for the 13th consecutive year, this conference is the largest and most comprehensive conference focusing on cleanup and redeveloping abandoned, underutilized, and potentially contaminated properties in the nation. Officials from federal, state, tribal, and local governments as well as leaders from industry, environmental, and community-based organizations will attend this event.

This year, the conference affords opportunities to gain information on revitalization, "greening" cleanup and redevelopment projects, as well as communicating the environmental and economic benefits of brownfields revitalization.

Speakers include Lisa P. Jackson, administrator of the U.S. Environmental Protection Agency; Majora Carter, president of Majora Carter Group LLC; Honorable C. Ray Nagin, mayor of the City of New Orleans; and Christopher

Leinberger, a metropolitan land strategist and developer with expertise in working with real estate developers in the building of sustainable walkable urban places.

Louisiana municipal officials can learn much about the Brownfields mission to clean up, revitalize, and promote the sustainable reuse of Brownfields properties. **The deadline to register electronically has ended, but interested mayors and municipal officials can register onsite at The Morial Convention Center.** There's no cost to register for this conference, and with this event occurring in New Orleans, it is definitely a must-attend! For more information, go to www.brownfields2009.org. You are responsible for your own hotel reservations.

Details: Tonia Biggs, Brownfields Conference Coordinator, U.S. Environmental Protection Agency, (214) 665-8551, www.brownfields2009.org, biggs.tonia@epa.gov.



LMA Room Block, Delegation Breakfast

The LMA room block of 60 rooms at The Hilton Palacio del Rio Hotel has expired, so all housing requests made now are subject to general assignment among all of the hotels hosting NLC delegates.

The LMA Delegates Breakfast will be held at 7:30 a.m. Thursday, November 12, at this hotel, and NLC will provide a guest speaker for this event. The LMA staff is sending information to all Louisiana delegates on NLC's registration list about this event. The cost of the breakfast is \$25.00 per delegate. It should be noted that the

to confirm their housing they must fax their credit-card information to Convention Expo Travel. That company is NOT associated with NLC or the Congress of Cities. Therefore, should you receive a telephone call or any contact from Convention Expo Travel, do not give them your credit-card information. Any questions or concerns about the NLC Congress of Cities should be directed to the Registration and Housing Center, (888) 319-3864, nlcregandhousing@jspargo.com.

Details: Cami Barlow, LMA Office Administrator/Executive Assistant, (225)344-5001, (800) 234-8274, cbarlow@lma.org.

TREEN: *continued from page 1*

ordered flags at the State Capitol to be flown at half-staff in remembrance of the former governor. "He was a true statesman with a servant's heart, and his desire to improve our state was only surpassed by his kindness and humility."

In 1979, Mr. Treen was Louisiana's first Republican governor since Reconstruction. He launched a pay incentive program for teachers, established the Department of Environmental Quality, and appointed more minorities to state government than any of his predecessors.

A native of Baton Rouge, Mr. Treen attended public schools in East Baton Rouge, Jefferson, and Orleans parishes. A Tulane University graduate, he received his law degree with honors from its Law School and served in the U.S. Air Force before beginning his law career in New Orleans and moving to Metairie.

Elected to Congress in 1972 to represent the Third Congressional District which stretched from New Orleans to New Iberia, Mr. Treen was instrumental in successful

passage of legislation to overhaul the Outer Continental Shelf Lands Act of 1953. The reform legislation consolidated permitting decisions and gave states a more thorough review of what oil and gas companies intended to do before beginning offshore oil drilling on the Gulf Coast. Mr. Treen also succeeded in amending the Small Business Act of 1974 to enable fishing interests to apply for financial assistance from the Small Business Administration.

Mr. Treen is survived by his son and two daughters. His wife, Dolores "Dodie" Brisbi Treen, died in 2005.

Mr. Treen, it can be said, was the rare kind of politician and public servant – a man whose unflinching principles, deep commitment, kindness, honesty, and integrity are worthy of emulation by anyone and everyone in public service who seek to serve their constituents with distinction. His sterling character and accomplishments will long endure the test of time.

Dave Treen, rest in peace in the eternal city of heaven.

LMA brings training and services “on the road” to members around the state

While the Louisiana Municipal Association is known for the delivery of programs and services from its headquarters building in downtown Baton Rouge, it is sometimes necessary for key staff members to travel to other parts of the state to assist its members with special needs.



In the photo at top are a team of mayors and chiefs of police who traveled to the Town of Independence to help local officials there resolve mayor-chief of police issues. In this photo are Woodworth Mayor David Butler, Rayne Mayor Jim Petitjean, Walker Police Chief Hunter Grimes, Brusly Mayor Joey Normand, Ponchatoula Police Chief Bry Layrisson, Louisiana Association of Chiefs of Police Executive Director Norman Ferachi and Assistant Director Sharon Vennen, Assistant District Attorney and Independence Town Attorney LeAnn Malnar, Independence Mayor Michael Ragusa, and Independence Police Chief Anthony Lamonte. The LMA's Tom Ed McHugh, Don Nijoka, and



John Gallagher also were there to assist with the onsite mediation effort.

In the photo at bottom, LMA Staff Attorney John Gallagher gives an overview of Louisiana statutes that govern municipal operations at a special training seminar conducted at the Arcadia Town Hall. Attending the training opportunity were a full house of mayors and municipal officials from municipalities in LMA districts in North Louisiana.

In Memoriam

The Louisiana Municipal Association mourns the passing of:

BRIAN JAMES MELANCON,

the chief of police of the Town of Lutchter, who died on September 29, 2009, at the age of 59 after a brief battle with cancer. He was Louisiana's youngest chief of police at his election in July 1978. From 1978 to 1994 and from 2007 to his death, he served nearly 20 years as chief of police.

DEWEY LEE FLETCHER, JR.,

an advertising executive and radio talk-show host who previously served as chief of staff for U.S. Congressman John Cooksey of Monroe and U.S. Congressman John Fleming of Minden, who died on September 30, 2009 at the age of 43 after a long battle with cancer.

OLEN WALTER JACKSON,

an alderman and police commissioner for the Town of Gibsland who died on October 12, 2009, at the age of 98. When he was in his 20s, Mr. Jackson was plowing in a field near Gibsland when the ambush of Bonnie and Clyde occurred on May 23, 1934, ending the lives of bandits Bonnie Parker and Clyde Barrow who killed 12 people during their bloody crime spree. Mr. Jackson was a loyal participant in the Authentic Bonnie and Clyde Ambush Festival and helped operate the Authentic Bonnie and Clyde Museum in the town.

TROY BRYANT YOPP, JR.,

a former three-term councilman for the Town of Stonewall, who died on October 15, 2009, after a sudden illness at the age of 70. Mr. Yopp previously served as a volunteer firefighter for DeSoto Fire Department District 3, president and member of the DeSoto Parish Police Jury, and chairman of DeSoto Parish Emergency Medical Services. He served honorably in the U.S. Marines. A passionate supporter of the Shriners' Children Hospital in Shreveport, Mr. Yopp testified in Congress on behalf of Shriners' hospitals for children.

HENRIETTA MENARD BELLARD,

the sister-in-law of LMA President Susan Menard and sister of St. Landry Parish President Don Menard, who died on October 17, 2009 after a lengthy illness.

DAVID CONNOR TREEN,

the former governor of Louisiana, serving in that post in 1980 to 1984, and a former U.S. representative in the Congress, who died in Metairie on October 29, 2009, at the age of 81. As governor, Mr. Treen appointed more blacks to office than any other previous governor, strengthened teacher certification requirements, and established the Department of Environmental Quality and the Louisiana School for Math, Science, and the Arts. More importantly, during his administration, Louisiana became a two-party state. *A tribute to Governor Treen appears on page one in this issue.*

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LED: continued from page 1

Northwest Region; Crowley and New Iberia in the Acadiana Region; DeRidder in the Southwest Region; Houma in the Bayou Region; Jena and Pineville in the Central Region; Slidell in the Southeast Region; West Monroe in the Northeast Region; and Zachary in the Capital Region.

During the first week of October, each community was introduced to its resource team of experienced community and economic development professionals, received resources and preliminary training, and began the community assessment phase of the program.

"The state has demonstrated its commitment to enhancing economic development at the local level," said Tom Ed McHugh, LMA executive director. "Our partners at LED have aggressively promoted community development and invested heavily in a system that will help our communities become more competitive."

According to LED officials, 25 communities applied for the pilot program. Each community's application was scored on the following criteria – completeness of application, a resolution by the governing body to support the program, a description of the community's previous and current community and economic development experience, letters of support from local and state leaders, and overall commitment to the aggressive pilot program schedule.

The communities were then reviewed through a competitive process led by the Louisiana Development-Ready Communities selection committee, which included representatives from utility companies, Louisiana Association of Planning Districts, Institute for Economic Development, Real Estate Research at the University of New Orleans, and LED.

In August, LED launched the Louisiana Development-Ready Communities program with a keynote address by LED Secretary Stephen Moret at LMA's 72nd Annual Convention in Alexandria. The program is an extension of LED's web-based resource, LouisianaCommunityNetwork.com. The pilot program includes a four-part process on community assessment, strategic planning, leadership development, and marketing development.

In October, the mayors and other officials and leaders from the selected communities participated in kick-off meetings held in Arcadia and Crowley. These meetings enabled the participants to review the mechanics of the pilot program, project tools and resources, program timelines, and understand LED's expectations of the communities and the communities' expectations

of LED.

Reaction to the program has been highly favorable.

"When the invitation was extended, we knew it was something we wanted to do," said Rich Dupree, chief of staff for Pineville Mayor Clarence Fields, in the *Alexandria Town Talk*. "What this program does is offer municipalities tools to help them market themselves. The idea is that once it's working, it can be extended statewide."

According to Dupree, two factors made Pineville officials eager to participate – the opportunity to obtain a thorough assessment of the city's ability to attract business and the chance to build a stronger relationship with LED. As a pilot participant, Pineville will receive specialized coaching on business recruitment and assistance from a national site selector who will evaluate properties for future business development.

"This program in particular gives us that assessment," Dupree said, "to help us understand where we're at, and our strengths and liabilities."

"I think it is tremendous. With everything going on in DeSoto Parish, we need a plan and this will help us get there and improve the quality of life of the people in DeSoto Parish," said Bob Church, a DeSoto Industrial District board member, in a Gannett news report.

Church acknowledges much work will be done but the pilot program is essential, given the natural gas boom and spin-off business that are transforming DeSoto Parish. The decision was made to involve the entire parish and its major communities as a unit in the pilot effort.

"We have to do a competitive assessment, do project status reports, complete a final assessment, write a vision and mission statement, set goals and objectives, and create a marketing plan," Church said. "Between each step there is much learning taking place and much work occurring to meet objectives and goals. The industrial board felt it was a tremendous opportunity to get more involvement and a higher knowledge level for what it takes to become a 'Ready Community.'"

The pilot is funded by a Economic Development Administration grant from the U.S. Department of Commerce. If the 12 communities complete the process in the six-month period, the program could expand to the rest of Louisiana in late 2010 or 2011.

Details: Skip Smart, Director of Community Development, LED, (225) 342-4321, smart@la.gov.

Understanding the Genetic Information Nondiscrimination Act of 2008

By **DON H. STROBEL**
Labor Consultants Central

On May 21, 2008, the Genetic Information Nondiscrimination Act of 2008 was signed into law by President George W. Bush after it passed the Senate unanimously and passed the House on a vote of 414 to 1.

The section of that federal law, GINA for short, relating to employment becomes effective on November 21, 2009.

GINA prevents employers and insurance companies from discriminating against individuals on the basis of genetic information. It prohibits employers from making personnel decisions based on an employee's pre-disposal to disease, and insurers are prohibited from denying coverage or increasing premium costs based on an individual's genetic information. Requiring genetic tests or family history information from employees or prospective employees will no longer be legal after GINA takes

effect, and any genetic information already collected will not be able to be used.

GINA won't prohibit an overall premium rate increase for an employer because of a manifestation of a disease or disorder of an individual employee enrolled in a plan. GINA also won't prohibit health insurers or health plan administrators from obtaining and using genetic test results in making health insurance payment determinations. The results of routine tests that do not measure DNA, RNA, or chromosomal changes, such as complete blood counts, cholesterol tests, and liver-function tests are not protected by GINA.

The enforcement of the employment sections (Title II) of GINA will be enforced by the Equal Employment Opportunity Commission. Individuals may also have the right to pursue private litigation.

Child labor penalties. A provision in the GINA federal law amends the Fair Labor Standards Act to establish a civil penalty of up to \$50,000 for each child-labor vio-

LMA 2009 TRAINING SEMINARS

Last two educational opportunities this year!

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LMA Office Building, First Floor Meeting Rooms 700 North 10th Street, Baton Rouge.

A light luncheon is offered. Pre-registration is required.

PARTICIPATE ONLINE BY WEBINAR!

These training seminars are available via WEBINAR, utilizing telephone and internet access. To participate in a webinar, send your email address to Amber Shafer, ashafer@lma.org, or George Marretta, gmarretta@lma.org. To participate onsite, please register below.

THURSDAY, NOVEMBER 19:

10:00 a.m.-12:00 noon – ONSITE & ONLINE

"The ABCs of Municipal Annexation"

Speakers: Bill Bryan, Assistant Attorney General, Louisiana Department of Justice, and Michael D. Hebert, attorney at law, Milling Benson Woodward, LLP, Lafayette.

Synopsis: This course provides an overview of Louisiana annexation law as it pertains to municipalities. Emphasis will be on the basic components of the law and the annexation process and issues often encountered as part of an annexation effort.

1:00 p.m.-2:30 p.m. – ONSITE & ONLINE

"Personnel File Management and Human Resources Issues"

Speakers: Rollie O. Waters, president and founder, and Ruth Ann Eledge, vice president, The Waters Consulting Group, Inc., Dallas, TX.

Synopsis: This seminar seeks to provide guidance to human resources directors and staff persons and all municipal employees entrusted with personnel file management. Emphasis will be on file organization, personnel records maintenance and retention, confidentiality of certain employee information and documents, compensation and job evaluations, and the relevance of laws and civil service provisions to file management. The speakers possess many years of management consulting to private- and public-sector clients. In addition, Ms. Eledge has more than 24 years of experience as director of human resources and civil service with the City of Austin, TX.

ONLINE REGISTRATION FOR ONSITE PARTICIPANTS ONLY:

Go to www.lma.org/email_regform.htm to enroll electronically.

For assistance, contact Tommy Darensbourg, tdarensbourg@lma.org, or George Marretta, gmarretta@lma.org, (225) 344-5001, (800) 234-8274.

Interested persons without Internet/Email access should use the registration form below **to register by FAX or postal mail.**

Please make every effort to attend the selected workshops because food is ordered for participants. Please give LMA prompt notice if you cannot attend the seminar(s) for which you have registered.

LMA 2009 TRAINING SEMINARS ADVANCE REGISTRATION FORM (ONSITE PARTICIPANTS ONLY)

Please check off the seminar(s) you wish to enroll in at the LMA Office Building:

- November 19 (Morning) – The ABCs of Municipal Annexation
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lation that leads to serious injury or death – or as much as double that for violations found to have been repeated or willful. It defines "serious injury" as any of the following:

- permanent loss or substantial impairment of one of the senses
- permanent loss or substantial impairment of the function of a bodily member, organ, or mental faculty
- or, permanent paralysis or substantial impairment causing loss of movement or mobility of a body part.

GINA is probably not likely to be an issue for Louisiana municipal governments, but it is good to be knowledgeable about this new law.

Details: Questions or requests for additional clarification on this new federal law, or any other state and federal laws concerning wage and hour issues, can be referred to Don Strobel, Labor Consultants Central, Post Office Box 206, Watson, LA 70786, laborguys@aol.com, (225) 664-2122, for assistance.

Municipalaneous

National League of Cities praises

Baton Rouge "Red Stick Ready" campaign

The City of Baton Rouge/Parish of East Baton Rouge government has created several programs that national emergency management officials believe will work well in other counties and cities across the nation.

Among these programs is "Red Stick Ready," a year-long public education and broadcast program which provides information, tips, and resources helpful in preparing for and responding to emergency situations such as hurricanes, floods, tornadoes, pandemics, fires, and chemical accidents.

The campaign has caught the attention of the National League of Cities. "I want to take Baton Rouge nationwide because of its methodology toward disaster preparation and the manner in which this program accomplishes its mission," said James D. Weed, director of homeland security and emergency management at NLC. Weed and other officials recently toured the Mayor's Office of Homeland Security and Emergency Preparedness located near Metropolitan Airport, and got a firsthand look at how the program operates and how local government agencies band together when disasters appear on the horizon.

According to the "Red Stick Ready" website, www.redstickready.com/default.asp, the program has received the highest national certification from the Emergency Management Accreditation Program, and Baton Rouge is one of only two cities in Louisiana to be certified as a "Storm Ready Community" by the National Weather Service. The website has useful information for citizens and schools, along with links to television programs broadcast on local cable channels.

NLC officials called the program "an untold story," according to JoAnne Moreau, MOHSEP director. "We've had success coping with Hurricane Katrina, from hosting local governments in exile to routing a fleet of Blackhawk helicopters and fire engines from the emergency operations center," she told the *Baton Rouge Business Report*.

New Orleans airport gets official

OK to move toward privatization

The Federal Aviation Administration is overseeing a trial program to privatize up to five airports in the U.S. and has given Louis Armstrong New Orleans International Airport permission to become a private airport, as reported in *USA Today* newspaper.

The FAA approval means that airport officials may begin a search for private investors willing to own the airport under the terms of a long-term lease. Although the private owner-operator would keep profits from airport operations, the arrangement could also benefit the City of New Orleans, according to the article. While the city would no longer have ownership and operational rights, it could receive a windfall from the privatization deal and could find it easier to fund and launch future airport expansion and improvement projects.

Once it finds a private operator, the airport will be required to submit its final privatization application to FAA and seek approval from the New Orleans City Council and 65 percent of its airline tenants. The final application could be submitted to FAA in the fall of 2010.

Covington building official

appointed to state code council

Al Courouleau, the building official for the City of Covington, has been appointed by Governor Bobby Jindal to serve on the Louisiana State Uniform Construction Code Council. Courouleau, a resident of Ponchatoula, is president of the Building Officials Association of Louisiana, an officially recognized affiliate organization of LMA, and serves on LMA's Executive Board.

Courouleau will serve as an at-large member on the council, according to a news release from the Governor's Press Office.

The LSUCCC serves to review and adopt the state uniform construction code, train, and educate code officials and establish the requirements and process for certification of code enforcement officers, inspectors, and building officials. In addition, the council accepts requests for amendments to the code, except those regarding the Louisiana State Plumbing Code, and determines if any amendments are justified. The council has 19 at-large gubernatorial appointees.

Appointees to Sparta Groundwater District represent or recommended by local entities

Governor Bobby Jindal recently announced 11 appointments to the Sparta Groundwater Conservation District, which serves to study and survey groundwater resources in the district and focuses on issues related to conservation, land surface subsidence, and groundwater quality degradation. The board advises the commissioner of conservation on its finding. Six of the 19 commission's members are selected from nominations submitted by various municipalities within the district that have a minimum use of 500,000 gallons of water per day.

The municipally nominated appointees are:

□ George Rolfe, director of public works for the City of Minden, reappointed to the commission as a member nominated by the City of Minden. Rolfe resides in Sibley.

□ Christopher Smith, a bank branch supervisor and loan officer, appointed to the commission as a member nominated by the Town of Arcadia. Smith resides in Arcadia.

□ Alice Stewart, a retired physician and a member of the Claiborne Parish Watershed District Board of Commissioners, reappointed to the commission as a member nominated by the Town of Homer. Stewart lives in Homer.

News Briefs

Fire administrator urges H1N1 vaccinations for fire and emergency medical services personnel

With the first deliveries of the H1N1 vaccine already underway, the Federal Emergency Management Agency, as part of its mission to support first responders, joins the U.S. Fire Administration in recommending that firefighters who provide emergency medical services and EMS personnel receive the H1N1 vaccination as soon as it becomes available in their local jurisdiction.

The Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices has recommended that certain population groups receive the 2009 H1N1 vaccine. These groups include:

- pregnant women.
- people who live with or care for children younger than 6 months of age.
- health care and emergency medical services personnel.
- persons between the ages of 6 months and 24 years old.
- people aged 25 to 64 years who are at higher risk for 2009 H1N1 because of chronic health disorders or compromised immune systems.

"Given that firefighters and EMS personnel who provide direct patient care are eligible for early vaccination, their first responder agencies should be contacting local doctors' offices, clinics, local health department, or other agencies to make arrangements now for their workforces to be vaccinated as soon as supplies of the H1N1 vaccine are received in their jurisdictions," said U.S. Fire Administrator Kelvin J. Cochran.

"Being vaccinated for both seasonal influenza and the H1N1 influenza represents an important way to assure the well being of our first responder workforces, their families, and most importantly the patients to whom they provide emergency medical care. It also enhances their agencies' ability to continue to provide critical services to their communities during periods when they may encounter an increased demand for emergency medical care resulting from the H1N1 virus," Cochran said.

Details: First responders and their agencies should go to these websites for more information – www.flu.gov, www.cdc.gov/h1n1flu, www.usfa.dhs.gov, and www.cdc.gov/h1n1flu/guidance_ems.htm.

DOTD sets regional hearings to review 2010-2011 highway construction priorities

Throughout November, the Department of Transportation and Development is conducting public hearings in several regions of the state to review highway construction priorities for the 2010-2011 fiscal year. A copy of the preliminary highway program is available at www.dotd.la.gov. Click on "Public Information" and then "Public Meetings." Those attending will be given an opportunity to briefly express their views on the proposed highway program. Written letters and comments are also accepted and can be mailed to Louisiana DOTD (Section 85), Post Office Box 94245, Baton Rouge, LA 70804-9245 within 30 calendar days following the hearing in your district.

Here is the schedule of public meetings:

□ November 4 – 9:30 a.m., Lake Charles Civic Center, Contraband Room, 900 Lakeshore Drive, Lake Charles, for Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis parishes (District 07).

□ November 4 – 2:30 p.m., Clifton Chenier Center, Town Hall, Building C, 220 West Willow Avenue, Lafayette, for Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermilion parishes (District 03).

□ November 5 – 10:00 a.m., Pineville City Hall, Council Meeting Room, 910 Main Street, Pineville, for Avoyelles, Grant, Natchitoches, Rapides, Sabine, Vernon, and Winn parishes (District 08).

□ November 12 – 10:00 a.m., Southeastern Louisiana University, University Center, 700 University Avenue, Hammond, for Livingston, St. Helena, St. John, St. Tammany, Tangipahoa, and Washington parishes (District 62).

□ November 12 – 3:00 p.m., Yenni Building, Council Chambers, 1221 Elmwood Park Boulevard, Harahan, for Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, and Terrebonne parishes (District 02).

□ November 13 – 9:30 a.m., State Capitol, John J. Hainkel, Jr. Room, Senate Basement, Baton Rouge, for Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, St. James, West Baton Rouge, and West Feliciana parishes (District 61).

The public hearings originally set for Bossier City on November 5 and Monroe and Winnsboro on November 6 have been cancelled and will be rescheduled; a new public notice will be prepared.

Details: Jan Grenfell, Environmental Impact Manager, DOTD, (225) 242-4509, or Mary Elliott, DOTD, (225) 379-1218

NLC, ICMA nationwide emergency management training includes December session in Lafayette

The National League of Cities, in conjunction with the International City-County Management Association, will be conducting a new emergency training program, "Crisis Leadership for Local Officials." This program includes a December stop in Lafayette.

Funded by the Department of Homeland Security, the program is intended to educate local leaders about their roles in emergency management and support the National Preparedness Goal of meeting specific national priorities of expanded regional collaboration, strengthening information sharing and collaboration, and interoperability communications during and after a disaster.

Local officials who are interested in attending this two-day NLC-sponsored training program must have taken the Federal Emergency Management Agency's IS 100.a and IS 700.a courses and be familiar with their respective emergency operations plans. The IS 100.a is an online course that can be found on FEMA's website, <http://training.fema.gov/EMIWeb/IS/IS100a.asp>. The IS 700.a introduces and overviews the National Incident Management System and can be accessed at <http://training.fema.gov/EMIWeb/IS/IS700a.asp>.

By taking the NLC-sponsored training course, credit can be earned toward the following programs – FEMA's Preparedness Certification Program, NLC's Leadership Training Institute Program, and ICMA's Credentialing Program.

The Louisiana training opportunity is set for December 11-12 at The Hilton Garden Inn Lafayette at The Cajundome in Lafayette. More information about this event is forthcoming.

Details: Jim Weed, NLC director of homeland security and emergency management, (202) 626-3051, weed@nlc.org, or Lorraine Gloster, NLC DHS grant program coordinator, (202) 626-3190, gloster@nlc.org.

Grants

Federal finance literacy grant offers tools and assistance to prospective homebuyers

Through a new Financial Education and Counseling Pilot Program, the U.S. Department of the Treasury's Community Development Financial Institutions Fund will provide grants to eligible organizations to enable them to provide a range of financial education and counseling services to prospective homebuyers. It seeks to increase the financial knowledge and decisionmaking capabilities of prospective homebuyers; assist prospective homebuyers in developing monthly budgets, building personal savings, financing or planning major purchases, reducing their debt, improving their financial stability; and setting and reaching their financial goals; help prospective homebuyers improve their credit scores by understanding the relationship between their credit histories and their credit scores; and educate prospective homebuyers about options available to build savings for short- and long-term goals.

To be eligible to apply for this funding, the applicant entity must be a certified Community Development Financial Institution, a U.S. Department of Housing and Urban Development-approved housing counseling agency, a credit union, a state, local, or tribal governmental entity, or a collaborative effort of two or more such entities. The FEC Pilot program application deadline is 4:00 p.m. CST on November 17.

The Louisiana JumpStart Coalition for Personal Financial Literacy, of which LMA is a non-profit association partner, furnished this information to the *Louisiana Municipal Review*.

Details: Go to www.cdfifund.gov/what_we_do/programs_id.asp?programID=8.

Department of Energy announces new EECEBG grant funding opportunity

The U.S. Department of Energy is accepting applications for competitive grants under the Energy Efficiency and Conservation Block Grant. DOE expects to award \$454 million in Recovery Act funding in two areas – the Retrofit Ramp-up Program and the General Innovation Fund.

The Retrofit Ramp-up Program is designed for innovative programs that are structured to provide whole-neighborhood building energy retrofits. The program will support projects that demonstrate a sustainable business model for providing cost-effective energy upgrades for a large percentage of the residential, commercial, and public buildings in a specific community. DOE plans to make eight to 20 awards under this topic area, with award size ranging from \$5 million to \$75 million. All communities are eligible to apply.

The General Innovation Fund is for cities, counties, and state-recognized Indian Tribes that were not eligible to receive population-based formula grant allocations from DOE under the EECEBG. Funding would help communities expand local energy efficiency efforts and reduce energy use in the commercial, residential, transportation, manufacturing, or industrial sectors. DOE plans 15 to 60 awards under this topic area, with awards ranging from \$1 million to \$5 million.

Applications are being accepted through www.grants.gov through 10:59 p.m. CST on December 14. DOE requests a voluntary letter of intent to apply by November 19.

Details: For the funding opportunity announcement, go to www.eecbg.energy.gov/Downloads/EECEBGCompetitiveFOA148MON.pdf. For program information, go to www.eecbg.energy.gov/about/competitive_grants.html.



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Calendar of Events

NOVEMBER

- 9-11 **Arbor Day Foundation/Home Depot Foundation**, Partners in Community Forestry National Conference, with workshops in these tracks – community forestry management, trees and development, and trees and social issues. The Doubletree Hotel, Portland, OR. **Info:** Arbor Day Foundation, (402) 474-5655, FAX (402) 473-9556, www.arborday.org/PCF.
- 11 **VETERANS DAY**. The LMA offices will be closed this day in observance of this federal holiday honoring the men and women who served this nation in all wars, particularly all living veterans.
- 10-14 **National League of Cities**, 86th Annual Congress of Cities & Exposition, "Navigating Through Economic Recovery," Leadership Training Institute seminars, policy committee meetings, mobile workshops, constituency and special group functions, welcome reception, City Showcase, general sessions, conference workshops, youth delegates program, spouse/guest tours, delegates luncheon, annual business meeting, and host city closing event, The Henry B. Gonzalez Convention Center, San Antonio, TX. **Info:** Go to www.nlccongressofcities.org, conference@nlc.org.
- 12 **Louisiana Municipal Association**, Delegation Breakfast Meeting, in conjunction with the National League of Cities 86th Annual Congress of Cities & Exposition, 7:30 a.m., guest speaker to be announced, Salon del Rey -North Room, The Hilton Palacio del Rio Hotel, San Antonio, TX. **Info:** Cami Barlow, LMA Executive Assistant/Office Administrator, (225) 344-5001, (800) 234-8274, cbarlow@lma.org.
- 16-18 **U.S. Environmental Protection Agency/International City-County Management Association**, "Brownfields 2009: Sustainable Communities Start Here," focusing on brownfields cleanup and redevelopment and

new economic, environmental, and social opportunities for cities, plenary speakers, exhibit hall, educational sessions, mobile workshops, continuing education, and more, The Morial Convention Center, New Orleans. Registration is free! **Info:** Go to www.brownfields2009.org.

- 16-18 **Urban and Regional Information Systems Association**, GIS in Transit Conference, "The Route to Success in Transit GIS," endorsed by the Transportation Research Board and American Public Transportation Association, St. Petersburg, FL. **Info:** URISA, (847) 824-6300, or go to www.urisa.org for presentation descriptions and on-line registration.
- 19 **Louisiana Municipal Association**, Training Seminars/Webinars: (1) "The ABCs of Municipal Annexation," 10:00 a.m.-12:00 noon; (2) "Personnel File Management and Human Resources Issues," 1:00-2:30 p.m., First-Floor Meeting Rooms, LMA Office Building, 700 North 10th Street, Baton Rouge. **Info:** Go to www.lma.org/email/reg_form.htm to register for onsite participation. To register for online webinar participation, send an email request to gmarretta@lma.org or ashafer@lma.org. Please refer to the related article elsewhere this issue for program and registration information.

26-27 **THANKSGIVING DAY**. The LMA offices will be closed on these days as the staff and their families celebrate the Thanksgiving holiday. *Happy Thanksgiving to you and your loved ones!*

tice, time management, hiring and retaining the "Net" Generation, employment law update, LaGov Project update, developing effective internal controls, handling difficult co-workers and employees, investment of public funds, and special workshops by William A. "Billy" Morehead, Ph.D., CPA, CGFM, AGA National President. The Embassy Suites Hotel, Baton Rouge. **Info:** Linda Strickland, AGA Coordinator, Post Office Box 1537, Gonzales, LA 70707, (225) 644-1451, Lstrick@eatel.net, www.br-aga.org.

- 7-11 **Urban and Regional Information Systems Association**, URISA Leadership Academy – "Engage. Learn. Lead." – for professionals faced with the unique challenge of Geographic Information Systems leadership and management. Five days of targeted GIS leadership training limited to 75 participants. The Hotel 1000, Seattle, WA. **Info:** Go to www.urisa.org/ula for program, registration, and hotel information.
- 9-11 **Louisiana Association of Tax Administrators**, 42nd Annual Conference, with general sessions and committee meetings, auditor's chatroom and workshop, social networking for government agencies, business and industry roundtable discussion, Act 500 of 2009 (factory-built homes), legislative update, best practices discussion, and more. Sam's Town Hotel, Shreveport. **Info:** Timothy D. Cefalu, LATA President, Caddo-Shreveport Sales and Use Tax Commission, (318) 865-3312, www.laota.com/4qconf.htm.


DECEMBER

- 2-3 **Association of Government Accountants/Baton Rouge Chapter**, Fall Conference, "Developing Successful Strategies to Manage Financial Challenges," with general and concurrent sessions on economics/finance update, forensic accounting, public bid law update, health care reform and cost trend analysis, internet safety in the workplace, written communications in accounting prac-

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Public Finance

"AAA" Tax-Exempt Municipal Bond Rates

Municipal bond interest rates escalate slightly

From September to October, the tax-exempt and insured "AAA" interest rates for municipal bonds posted more-or-less robust increases. The Federal Reserve maintains that an economic recovery is underway. The Fed's central bank indicates it will keep its benchmark overnight interest rate at a very low rate for an extended period of time. Observers say this rate will remain the same until 2010. Many Louisiana bond financing projects are on hold until market conditions become more favorable. Tax-exempt borrowing costs for most Louisiana "BBB" rated political subdivisions would be approximately 30 to 40 basis points higher than the rates indicated in this chart.

TERM	October 29	September 23	August 22	July 21
2 YEARS	0.83% Δ	0.79%	0.79%	0.79%
5 YEARS	2.07% Δ	1.75%	1.81%	1.86%
7 YEARS	2.69% Δ	2.28%	2.41%	2.46%
10 YEARS	3.35% Δ	3.05%	3.23%	3.29%
20 YEARS	4.11% Δ	4.04%	4.33%	4.40%
30 YEARS	4.50% Δ	4.45%	4.82%	4.82%

Municipal Cost Index

Municipal cost index shows monthly, yearly increases

The Municipal Cost Index, developed exclusively by American City and County, shows the effects of inflation on the cost of providing municipal services. The MCI is utilized to study price trends, help control price increases for commodities, make informed government contract decisions, and facilitate sound budget planning. The MCI determines the cost of inflation and the rising cost of doing business as a local government.

As reported in American City and County, the MCI for October 2009 was **206.5**, compared to 205.4 in September 2009 (a 0.5% difference) and a 3.9% decrease from October 2008's MCI of 214.8.

Attorney General's Opinions

(Editor's note: Below are brief summaries of recent legal opinions rendered by the Office of Attorney General James D. "Buddy" Caldwell on matters pertaining to municipal and local government. For a copy of cited opinions, please contact LMA Staff Attorney John A. Gallagher at jgallagher@lma.org.)

ALCOHOLIC BEVERAGES

AGO 09-0195: In the Village of Collinston, the Sunday sales of alcoholic beverages is prohibited, because at a parish-wide local option election, the electorate of Morehouse Parish (including the voters of the village) voted to approve this Sunday closing law. The electorate of the village may "opt out" of the parish prohibition against Sunday sales at a local option election called for that purpose, pursuant to R.S. 51:191. However, all acts of the village council which purport to revive the Sunday sales of alcoholic beverages in the absence of a local option election are invalid. Other than Sunday sales, the sale of alcoholic beverages by businesses holding local and state alcoholic beverage permits is currently allowed in the village. A prohibition against all sales of alcoholic beverages within the village may only be accomplished by referendum vote, pursuant to R.S. 26:493.

CIVIL SERVICE

AGO 09-0199: In some municipal jurisdictions, civil service statutes specifically prohibiting a fire or police civil-service employee from concurrently holding elective office would control over the more general dual officeholding law, which might allow for such concurrent office holding absent the specific prohibition of the civil service law.

AGO 09-0015: The civil service board

of the St. Tammany Fire Protection District No. 4 cannot use public funds to pay for firefighters to receive a college degree.

COOPERATIVE ENDEAVORS

AGO 09-0055: Money donated to the Winnfield Police Department by Walmart on the condition that the money be used to purchase bicycles to be donated to underprivileged children at Christmas should be refunded to Walmart due to the inability of the police department to fulfill the condition without violating Article VII, Section 14(A) of the Louisiana Constitution.

AGO 09-0245: The Tensas Parish Police Jury and the Town of Waterproof may enter into a cooperative endeavor agreement, whereby the Tensas Parish Police Jury would serve as an applicant for funding assistance under the American Recovery and Reinvestment Act of 2009 and utilize the funding assistance to perform much-needed renovations at the Town of Waterproof's wastewater treatment plant.

DUAL OFFICEHOLDING

AGO 09-126: The state dual officeholding provisions do not prohibit a local elected official from holding employment in a separate political subdivision; thus, the elected mayor of the Town of Gueydan is not prohibited from holding employment with the Vermilion Parish Hospital Service District No. 3, d/b/a Gueydan Memorial Guest Home, as the municipality and the hospital service district are separate political subdivisions.

AGO 09-176: Because an individual is prohibited from holding employment in the same political subdivision in which he holds elected office, an individual elected mayor of the Village of Elizabeth must resign his employment with the village.

AGO 09-0191: The confidential assistant to the secretary of the Department of Revenue is not prohibited by the Louisiana Dual Officeholding and Dual Employment Law, R.S. 42:61, et seq., from also serving as an appointed member of the Recreation and Park Commission for the Parish of East Baton Rouge.

AGO 09-0210: An elected councilman serving the City of Westwego is prohibited from holding any position of employment falling within the classified service of Jefferson Parish.

EMINENT DOMAIN

AGO 07-0157: Article I, Section 4(A) (1) of the Louisiana Constitution expressly states that economic development shall not be considered in deciding whether a taking or damaging of property is done for public purpose. Article I, Section 4(B)(1) further states that "property shall not be taken or damaged by the state or its political subdivisions: (a) for predominant use by any private person or entity; or (b) for transfer of ownership to any private person or entity." The taking of property by the City of Monroe, for predominant use by a private developer, and a primary public purpose of economic development, is not a valid exercise of eminent domain authority by a municipality. However, since only a court of law may make such a lawful determination, this office recommends that the City of Monroe file a declaratory judgment action, including a detailed description of the project, in a court of competent jurisdiction for a binding judgment on this matter.

FIREARMS

AGO 09-0118: R.S. 32:292.1 sets forth state law governing the transportation and storage of firearms in privately-owned ve-

hicles. There are no express, field, or conflict preemption issues involving this law with regard to the federal Occupational Safety and Health Act, the Maritime Transportation Security Act of 2002, Chemical Facility Anti-Terrorism Standards, or any safety/security plans submitted pursuant to each. Given that there is no clear and manifest purpose of Congress to preempt state law governing the storage of firearms in one's own vehicle, R.S. 32:292.1 remains valid and enforceable.

FISCAL AGENTS

AGO 09-0073: Addresses whether public bodies may use the Certificate of Deposit Account Registry Service and the Temporary Liquidity Guarantee Program. Recalls AGO 04-0252 in full and AGO 83-9 in part.

MANDATES

AGO 09-0184: The exemption of home-rule charter municipalities from the mandates of R.S. 32:266 does not violate the guarantees of equal protection afforded by the U.S. Constitution or the Louisiana Constitution, because a municipality, as a political subdivision of the state, is not entitled to equal protection of the law as guaranteed by the Fourteenth Amendment to the U.S. Constitution or Article I, Section 3 of the Louisiana Constitution.



Buddy Caldwell
Attorney General

CALL FOR NOMINATIONS FOR THE LOUISIANA MUNICIPAL CLERKS ASSOCIATION

Dear Municipal Clerks:

The Louisiana Municipal Clerks Association's Spring Conference will be held on March 4-6, 2010 in the City of Lafayette. At that time, the LMCA Executive Board will have four vacant seats to fill.

At this time the LMCA Certification Committee seeks nominations for the following positions – a **Public Relations Officer** (for a one-year term), and three **Trustee** positions (each for a three-year term).

Candidates for the office of **Public Relations Officer** must have served at least one full term (three years) as a **Trustee** of the LMCA Executive Board and be an active member of LMCA. Candidates seeking the office of **Trustee** must have been a member of LMCA for not less than three years and must have attended at least two annual LMCA spring conferences. Pursuant to the LMCA Bylaws, candidates must be a member in good standing of the LMCA.

LMCA members interested in applying for these board positions should submit a letter of interest stating your qualifications for such office. The original letter should be sent to:

Lana Patton, MMC
City Clerk, Town of Bernice
Chair, LMCA Certification Committee
Post Office Box 186
Bernice, LA 71222
(318) 285-9071

In addition, a copy of the original letter should be sent to each of the following members of the LMCA Certification Committee:

Gloria King, MMC Town of Delhi Post Office Box 277 Delhi, LA 71232	Nancy Thiels, MMC City of Alexandria Post Office Box 71 Alexandria, LA 71309	Brenda Kimball, LCMC Town of Ball Post Office Drawer 800 Ball, LA 71405
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Peggy Lewis, MMC City of New Orleans 1300 Perdido Street, 1E09 New Orleans, LA 70115	Pam Washington, MMC City of Patterson Post Office Box 367 Patterson, LA 70392
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THE DEADLINE FOR RECEIPT OF APPLICATIONS IS MONDAY, JANUARY 4, 2010. Please do not fax or send letters to the LMA office. Send your letter and qualifications directly to the members of the LMCA Certification Committee. We appreciate your interest in making LMCA a stronger and more efficient organization!

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Pronunciation: 'E-zee
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Inflected Form(s): eas-i-er; -est

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LeCompte – City Clerk Theresa Dunn, Mayor Gregory Clark, Fines Clerk Fay Kindle

The LMA's Computer and Technology Assistance Program is the most visible component of the Association's services, one that has benefitted more than 100 of Louisiana's municipalities. That list now includes seven more towns and villages where computer systems were recently installed and which are reaping firsthand the advantages of being part of the ever-growing LMA communications network and taking advantage of superior technology. In these photos are some excited municipal officials:

The CITAP enables communities to acquire computer hardware and software, upgrade their technological capability, and receive technical support in their use of computer technology, the Internet, and email and website development resources. In some cases, CITAP can furnish



North Hodge – Assistant Clerk Carolyn Robinson and Mayor Geraldine Causey

a second computer or a replacement computer for the municipal office. CITAP, a joint venture of LMA and the Louisiana Municipal Advisory and Technical Services Bureau (LaMATS), continues to build a reliable network of Louisiana's



Pioneer – Mayor Sonia Reiter

villages, towns, and cities connected via the Internet. The generous support of the LMA Executive Board makes possible this investment in computer technology improvements for the benefit of its member municipalities. As a re-



Richwood – Mayor Steve Hunter, Sandra Hunter (mayor's wife), and City Clerk Charlotte Rainwater

sult, there is no or little cost to participate in this program.

Details: Contact Mike Walker, CITAP Manager, (225) 344-5001, (800) 234-8274, mwalker@lma.org.



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