

PUBLIC NOTICE

L A F O U R C H E P A R I S H C O U N C I L
G O V E R N I N G A U T H O R I T Y
M E E T I N G N O T I C E A N D A G E N D A

AGENDA FOR MEETING TO BE HELD: Tuesday, January 13, 2009

**PLACE: Old Wal-Mart Building, 4876 Highway 1, Mathews,
Louisiana 70394**

TIME: 5:00 P.M.

CALL TO ORDER: Mr. Michael Delatte, Chairman

ROLL CALL: Mr. Jerry Jones, Vice-Chair
Mr. Michael Delatte, Chairman
Mr. Louis Richard
Mr. Joseph "Joe" Fertitta
Mr. Matt Matherne
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Rodney Doucet
Mr. Daniel Lorraine
Ms. Charlotte Randolph, Parish President

INVOCATION: Mr. Jerry Jones

PLEDGE OF ALLEGIANCE: Mr. Louis Richard

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NOTICE TO THE PUBLIC: If you wish to address the Council, please complete the "Public Wishing to Address the Council" form located at the back of the meeting room and return it to the Council Chairman or Council Clerk prior to the beginning of the meeting.

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the Lafourche Parish Council Clerk's Office at (985) 446-8427 describing the assistance that is necessary.

A. CHAIRMAN'S COMMENTS:

B. APPOINTMENT OF OFFICERS FOR 2009:

1. Nominations to select a **Chairman** for the Lafourche Parish Council for the Fiscal Year 2009. Motion by _____, seconded by _____, to appoint _____ as Chairman.
2. Nominations to select a **Vice-Chair** for the Lafourche Parish Council for the Fiscal Year 2009. Motion by _____, seconded by _____, to appoint _____ as Vice-Chair.

C. MINUTES:

3. Motion to **defer** the **minutes** of the **December 9, 2008 Regular Session** meeting.

D. OVERRIDE VETOED ORDINANCE:

4. The following **Ordinance** was **vetoed** by Parish President Randolph on December 22, 2008: (SIX (6) VOTES ARE NEEDED TO OVERRIDE THE VETO)

Ordinance No. 4431

AN ORDINANCE REQUIRING THE LAFOURCHE PARISH COUNCILMEN AND THE ADMINISTRATION OF THE LAFOURCHE PARISH GOVERNMENT BE DRUG TESTED AT RANDOM.

E. EXECUTIVE SESSION:

5. Executive Session Claim:

Motion by _____, seconded by _____, to enter into **Executive Session** for the following:

a. Claim #10844 AB - Theresa and Victoria Roy

Motion by _____, seconded by _____, to reconvene the meeting.

Motion by _____, seconded by _____, to take any necessary action, if any, regarding the matters discussed in the Executive Session.

F. ACTION FROM EXECUTIVE SESSION:

6. RESOLUTION requesting that the **Lafourche Parish Council approve and authorize Gulf South Risk Services to settle claim #10844AB on behalf of the Lafourche Parish Government for \$ _____**, and authorizing the Parish President to sign, execute, and administer any and all relevant documents. (P. GOUAUX FOR ADMINISTRATION)

G. ADMINISTRATIVE REPORT(S):

7. A report from **Parish President Randolph** regarding the **Open House Meeting for flood maps** which will be held at the **Lafourche Parish Government Council Chambers in the old Wal-Mart Building in Mathews (4876 Highway 1) on Wednesday, January 14, 2009 from 2:00 p.m. to 8:00 p.m.**
8. Report from **Mr. Ronnie Robichaux, Director of Public Works.**
9. Report from **Mr. Brennan Matherne, Director of Parks, Recreation and Public Facilities.**
10. Updates on the drainage projects for: **Leblanc Drive, Buchanan and Chester Lee.** (P. GOUAUX)
11. Update on the protection levee along **Industrial in Larose.** (P. GOUAUX)

H. ENGINEERS/ARCHITECTS REPORTS:

I. LEGAL ADVISOR REPORT:

J. ORDINANCES FOR DISCUSSION AND RATIFICATION:

12. ORDINANCE to accept the subdivision known as the **Tract "A", a portion of property belonging to Leroy J. Foret et ux into the Parish system.**
(M. MATHERNE FOR ADMINISTRATION) (DEFERRED AT THE 11-25-08 LPC MEETING)

K. PUBLIC HEARING AND ORDINANCES FOR RATIFICATION:

Motion by _____, seconded by _____ to open the public hearing.

13. **ORDINANCE requesting the Lafourche Parish Council implement a 3.8% Cost of Living (COLA) adjustment for the Council Clerk of the Lafourche Parish Council (Legislative Branch) effective November 1, 2008.**

(D. LORRAINE)

14. **ORDINANCE approving the holding of an election in Recreation District No. 8 of the Parish of Lafourche, State of Louisiana, on Saturday, April 4, 2009, to authorize the levy of a special tax therein (Continuation).**

(M. DELATTE)

15. **ORDINANCE to amend Ordinance No. 4359 as it pertains to Section 2:207 of Chapter 2 of the Code of Ordinances for reimbursement of travel expenses for Parish officials and employees.** (P. GOUAUX FOR ADMINISTRATION)

16. **ORDINANCE providing for a 2009 Supplemental Appropriation (09-001) within the 2009 Operations and Maintenance Budget and the 2009 Capital Projects Budget funding the engineering and design of phase three of the LA 1 Project and authorizing the Parish President to sign, execute and administer said transactions as provided for by article VI of the Lafourche Parish Home Rule Charter.** (D. LORRAINE FOR ADMINISTRATION)

a. Amendment:

adding **WHEREAS, if a grant is received in the future, Road Sales Tax 2 will be reimbursed their monies; and** (D. LORRAINE)

17. **ORDINANCE accepting the donation of Homeland Security equipment from South Central Planning and Development Commission funded through the FY05 Louisiana State Police and Office of Homeland Security and Emergency Preparedness Grant #2007-GE-T7-0019; and furthermore donating some of the same equipment to other responder agencies within the Parish of Lafourche and authorizing the Parish President to sign, execute and administer any and all relevant documents.** (J. FERTITTA FOR ADMINISTRATION)

a. Amendment:

deleting **FY05** and adding **FY07** (J. FERTITTA FOR ADMINISTRATION)

18. ORDINANCE accepting the **Public Safety Interoperable Communication Grant 2007-GS-H7-0014** from the Governor's Office of Homeland Security and Emergency Preparedness; and furthermore donating some of the same equipment to other responder agencies within the Parish of **Lafourche** and authorizing the Parish President to sign, execute and administer any and all relevant documents. (R. DOUCET FOR ADMINISTRATION)
19. ORDINANCE approving the attached **servitude agreement between Lee H. Leger, Jr. and the Lafourche Parish Council**; and authorizing the Parish President to sign, execute and administer said agreement. (D. LORRAINE FOR ADMINISTRATION)
20. ORDINANCE approving the attached **servitude agreement between Ann Theriot Luent, Robert P. Luent, Donald Theriot, Juanita Lirette Theriot and the Lafourche Parish Council**; and authorizing the Parish President to sign, execute and administer said agreement. (P. GOUAUX FOR ADMINISTRATION)
21. ORDINANCE approving the attached **servitude agreement between Laurel Valley Plantation, Inc. represented by Jerome S. Mckee and the Lafourche Parish Council** and authorizing the Parish President to sign, execute and administer said agreement. (M. DELATTE FOR ADMINISTRATION)
22. ORDINANCE amending Sections 108 and 113 of Chapter 5, Sub-Chapter B of the **Lafourche Parish Code of Ordinances relative to Permit Fees and Fees for violation of the Lafourche Parish Building Code**. (M. DELATTE FOR ADMINISTRATION)

Motion by _____ seconded by _____ to close the public hearing.

L. PROPOSED ORDINANCES:

23. PROPOSED ORDINANCE placing a **"4-Way Stop"** sign at **St. Louis and Amber Streets, Ward (3), District (5)**, Raceland, Louisiana; Parish of Lafourche, State of Louisiana; **installing the necessary "4-Way Stop" signs**; and providing for penalties for the violations thereof. (M. MATHERNE)
24. PROPOSED ORDINANCE establishing a **"Deaf Child In Area"** sign be placed at **353 East 40th Street, Cut Off, Louisiana, Ward (10), District (8)**, Parish of Lafourche, State of Louisiana; **providing for the placement of a "Deaf Child In Area" sign**; and providing for penalties for the violations thereof. (R. DOUCET)

25. PROPOSED ORDINANCE requiring the placement of **two (2) “Handicap Person In Area” signs on 353 East 40th Street, Cut Off, Louisiana, Ward (10), District (8), Parish of Lafourche, State of Louisiana, providing for the placement of “Handicap Person In Area” signs** and providing for penalties for the violations thereof. (R. DOUCET)
26. PROPOSED ORDINANCE establishing a **“No Parking Zone” on the right hand side of Sugarland Drive, in Raceland, Louisiana, Ward (3), District (6), Parish of Lafourche, State of Louisiana; installing the necessary “No Parking Zone” signs;** and providing for penalties for the violations thereof.
(R. DOUCET)
27. PROPOSED ORDINANCE **approving** the attached **temporary servitude agreement between Robert J. Melancon and Gary L. and Emma Jean Falcon Fisher and the Lafourche Parish Council;** and authorizing the Parish President to sign, execute and administer said agreement.
(J. FERTITTA FOR ADMINISTRATION)
28. PROPOSED ORDINANCE **approving** the attached **servitude agreement between Leroy J. Foret and Rhea Terrebonne Foret and the Lafourche Parish Council;** and authorizing the Parish President to sign, execute and administer said agreement. (J. FERTITTA FOR ADMINISTRATION)
29. PROPOSED ORDINANCE **approving** an **extension of an existing machine shop at Bollinger Shipyards Lockport, LLC from FEMA and parish elevation requirements at 8365 Highway 308, Lockport;** and authorizing the Parish President to sign, execute and administer said agreement.
(P. GOUAUX FOR ADMINISTRATION)
30. PROPOSED ORDINANCE **supporting Lafourche Parish Sales and Use Tax Ordinance amending their procedures used to collect sales and use tax for all taxing authorities in Lafourche Parish.** (P. GOUAUX FOR ADMINISTRATION)
31. PROPOSED ORDINANCE **providing** for a **2009 Supplemental Appropriation (09-002) within the 2009 Operations and Maintenance Budget and the 2009 Capital Projects Budget funding the East 94th Street Project based on final engineering** and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. (D. LORRAINE FOR ADMINISTRATION)

32. **PROPOSED ORDINANCE to establish a franchise fee for cable service or video service provided under the Consumer Choice For Television Act (Act 433 of the 2008 regular session of the Louisiana State Legislature).**

(R. DOUCET FOR ADMINISTRATION)

M. RESOLUTIONS:

33. **RESOLUTION requesting the State Legislation develop legislation requiring all public officials, all employees of the State or Parish Governments and anyone receiving funds collected through a public tax or millage shall be drug and alcohol tested through a random program similar to that of the process used by the courts in their selection of jurors.** (L. TOUPS)
34. **RESOLUTION directing the Administration to find out the circumstances of the lawsuit on the St. Louis Canal Dam; and if it has been seven (7) years or more since the filing of said lawsuit that the Administration take the necessary means to resolve it or cancel it and proceed accordingly.**
(M. MATHERNE)
35. **RESOLUTION requesting the Federal Government restore the Barrier Islands off the coast of Lafourche and Terrebonne Parishes.** (D. LORRAINE)
36. **RESOLUTION requesting an opinion from the Lafourche Parish District Attorney to review Road Sales Tax 2 Tax Call to determine whether or not Road Sales Tax District 2 funding can be used to fund the engineering and design of Phase Three (4 lane highway from Golden Meadow to Leeville) of the LA 1 State Project.** (D. LORRAINE)
37. **RESOLUTION requesting the Louisiana Department of Transportation and Development (LADOTD) consider installing warning caution lights at the intersection of LA 1 South Golden Meadow to Alex Plaisance Boulevard, 3161 in Cut Off, LA to LA 3235, 657 in Larose, LA to 3235, and where 3235 intersects to LA 24 Bourg-Larose; also install flashing lights heading south at 3162 (Galliano Red Light) and heading north at 3162 (Galliano Red Light) located on 3235; also to review the speed limit to see if they can be changed to all the same speed limit from north of Golden Meadow to the intersection of LA 24.** (D. LORRAINE)
38. **RESOLUTION engaging the firm of Stagni and Company, LLC to perform the Lafourche Parish Council's statutorily required audit as of and for the year ended December 31, 2008, and authorizing the Parish President to sign any and all necessary documents.** (M. DELATTE)

39. RESOLUTION **appointing one (1) Commissioner to represent the City of Thibodaux to the Lafourche Parish Tourist Commission.**
(J. FERITTA FOR ADMINISTRATION)
40. RESOLUTION **appointing one (1) Commissioner to represent the Chamber of Lafourche and the Bayou Region to the Lafourche Parish Tourist Commission.** (D. LORRAINE FOR ADMINISTRATION)
41. RESOLUTION **appointing one (1) Commissioner to the Recreation District No. 2 Board.** (L. TOUPS FOR ADMINISTRATION)
42. RESOLUTION **appointing one (1) Commissioner to Recreation District No. 4 Board.** (J. FERTITTA FOR ADMINISTRATION)
43. RESOLUTION **reappointing one (1) Commissioner to the Lafourche Parish Animal Shelter Advisory Board.** (D. LORRAINE FOR ADMINISTRATION)
44. RESOLUTION **appointing one (1) Commissioner to the Lafourche Parish Water District No. 1 Board.** (P. GOUAUX FOR ADMINISTRATION)
45. RESOLUTION **appointing one (1) Commissioner to the Fire Protection District No. 1 Board.** (P. GOUAUX FOR ADMINISTRATION)
46. RESOLUTION **appointing one (1) Commissioner to the Lafourche Parish Fire Protection District No. 3 Board.** (D. LORRAINE FOR ADMINISTRATION)
47. RESOLUTION **appointing one (1) Commissioner to the Fire Protection District No. 4 Board.** (J. FERTITTA FOR ADMINISTRATION)
48. RESOLUTION **appointing three (3) Commissioners to the Fire Protection District No. 7 Board.** (J. FERTITTA FOR ADMINISTRATION)
49. RESOLUTION **reappointing one (1) Commissioner to the Fire Protection District No. 9 Board.** (L. TOUPS FOR ADMINISTRATION)
50. RESOLUTION **approving a Cooperative Endeavor Agreement for each participating Senior Citizens Center for the purpose of continuing the implementation of the Lafourche on the Move Program;** and authorizing the Parish President to sign, execute and administer said agreements and all associated documents. (L. TOUPS FOR ADMINISTRATION)

51. RESOLUTION **amending Resolution No. 08-627 a contract for Professional Services between T. Baker Smith, Inc. and Lafourche Parish Government to provide engineering services for the project entitled "Farm to Market Road Project #08025"** and authorizing the Parish President to sign, execute and administer said contract and all relevant documents.
(L. TOUPS FOR ADMINISTRATION)
52. RESOLUTION **to fill four vacancies on Lafourche Parish Head Start Policy Council for Community Representative positions; and one Community Representative Alternate position.** (P. GOUAUX FOR ADMINISTRATION)
53. RESOLUTION **approving a Cooperative Endeavor Agreement between the Department of Transportation and Development (DOTD) and the Lafourche Parish Government** and authorizing the Parish President to sign, execute and administer any and all relevant documents.
(D. LORRAINE FOR ADMINISTRATION)
54. RESOLUTION **approving Change Order No. 1 for the project entitled "Roadway Improvements in Road Sales Tax District No. 5- Phase 5H (Chackbay - Choctaw)" decreasing the contract price by \$1,120.75;** and authorizing the Parish President to sign said Change Order and any and all relevant documents. (M. DELATTE FOR ADMINISTRATION)
55. RESOLUTION **approving a Change Order No. 1 to Sealevel Construction, Inc. for changes to the Marybeth Bridge as an increase in the contract price by \$2,275.00;** and authorizing the Parish President to sign, execute and administer said Change Order and any and all relevant documents.
(M. MATHERNE FOR ADMINISTRATION)
56. RESOLUTION **approving Change Order No. 2 for the project entitled "Roadway and Drainage Improvements in Road Sales Tax District No. 2-Phase 4C" decreasing the contract price by \$172,549.01;** and authorizing the Parish President to sign said Change Order and any and all relevant documents. (D. LORRAINE FOR ADMINISTRATION)
57. RESOLUTION **stating the Lafourche Parish Council's endorsement of Millenia Land Properties, LLC. located on the east side of Highway 3235, Galliano, Louisiana (Enterprise Zone Advance Notification #20080771), to participate in the benefits of the Louisiana Enterprise Zone Program.**
(D. LORRAINE FOR ADMINISTRATION)

58. **RESOLUTION stating the Lafourche Parish Council's endorsement of Griffin Restaurants, Inc. located at 4566 Highway 1, Raceland, Louisiana (Enterprise Zone Advance Notification #20080853), to participate in the benefits of the Louisiana Enterprise Zone Program.**
(L. TOUPS FOR ADMINISTRATION)
59. **RESOLUTION stating the Lafourche Parish Council's endorsement of Blanchard Contractors, Inc. located at 15444 Highway 3235, Cut Off, Louisiana (Advance Notification #20081071), to participate in the benefits of the Louisiana Quality Jobs Program.** (R. DOUCET FOR ADMINISTRATION)
60. **RESOLUTION stating the Lafourche Parish Council's endorsement of Montco, Inc. located at 17751 Highway 3235, Galliano, Louisiana (Advance Notification #20080929) to participate in the benefits of the Louisiana Quality Jobs Program.** (D. LORRAINE FOR ADMINISTRATION)
61. **RESOLUTION stating the Lafourche Parish Council's endorsement of Superior Shipyard & Fabrication, Inc. located at 20987 Highway 1, Golden Meadow, Louisiana (Enterprise Zone Advance Notification #20080858), to participate in the benefits of the Louisiana Enterprise Zone Program.** (D. LORRAINE FOR ADMINISTRATION)
62. **RESOLUTION stating the Lafourche Parish Council's endorsement of VIH Helicopters USA, Inc. located at 152 Blackhawk Road, Galliano, Louisiana (Enterprise Zone Advance Notification #20080933), to participate in the benefits of the Louisiana Enterprise Zone Program.**
(D. LORRAINE FOR ADMINISTRATION)
63. **RESOLUTION approving the attached Cooperative Endeavor Agreements for each Lafourche Parish Recreation District for the purposes of acquiring, constructing, improving, maintaining or operating recreational facilities and activities in the Parish; and authorizing the Parish President to sign, execute and administer said agreements and any and all associated documents.** (L. TOUPS FOR ADMINISTRATION)
64. **RESOLUTION approving a Cooperative Endeavor Agreement between the Lafourche Parish Council and the Barataria Terrebonne National Estuary Program to plan, design and implement the Maritime Forest Ridge Restoration at Fourchon, Louisiana, as described in the June 2007 Louisiana Coastal Impact Assistance Plan; and authorizing the Parish President to sign, execute and administer said agreement and any and all relevant documents and amendments.** (R. DOUCET FOR ADMINISTRATION)

65. RESOLUTION in opposition to proposed federal legislation of HR 800 of the 2007 session urging Congress to avoid negative consequences that would result from the passage of the *Employee Free Choice Act (EFCA)* known as “*Card Check*” and to send this opposition Resolution to all Legislators and Congressmen of this District and the surrounding areas.
(D. LORRAINE FOR ADMINISTRATION)
66. RESOLUTION extending the contract with Foret Land & Tree, LLC. for contractor services related to the Nuisance Abatement Ordinance No. 3605 and approving contract Amendment No. 1 for said contractor service work and authorizing the Parish President to sign, execute and administer said contract (s) and all relevant documents and amendments.
(P. GOUAUX FOR ADMINISTRATION)
67. RESOLUTION approving a contract to hire Leonard Chauvin P.E., P.L.S; Inc. to perform after-the-fact permitting for emergency projects which were performed by the Parish during Hurricanes Gustav and Ike and assisting in preparing and submitting project worksheets to FEMA; and authorizing the Parish President to sign, execute and administer any and all relevant documents. (L. TOUPS FOR ADMINISTRATION)

N. PUBLIC WISHING TO ADDRESS THE COUNCIL

O. DISCUSSION:

68. Discussion regarding dispensing with the Lafourche Parish Council’s second meeting in February. (J. JONES)
69. Discussion regarding the savings to the Parish by offices being closed on Fridays. (J. FERTITTA)
70. Discussion regarding the cost of overtime for people working on days off.
(J. FERTITTA)
71. Discussion regarding the street lights in the Parish. (M. DELATTE)

P. ADJOURNMENT:

On motion by _____ seconded by _____, and with no further business, the Lafourche Parish Council meeting of **January 13, 2009** adjourned at _____.