

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

**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**

AGENDA FOR MEETING TO BE HELD: Tuesday, March 8, 2005

**PLACE: Lafourche Parish Council Barrios Center, 1612 HWY. 182,
Suite 100, Raceland, LA.**

TIME: 6:00 p.m.

CALL TO ORDER: Mr. Michael Matherne, Chairman

ROLL CALL: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Dr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Touts
Mr. Phillip Gouaux
Mr. Brent Callais
Mr. Daniel Lorraine

PRAYER: Mr. Michael Delatte

PLEDGE OF ALLEGIANCE: Mr. Phillip Gouaux

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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 on the desk 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.

LPC MARCH 8, 2005 REGULAR SESSION

A. APPROVAL OF COUNCIL MINUTES:

1. Motion to accept the amended minutes of the February 10, 2005, Regular Session. (TO INCLUDE A DETAILED LIST OF THE AMENDMENTS TO THE ROAD BOND ORDINANCE)
2. Motion to accept the minutes of the February 22, 2005, Regular Session.

B. PUBLIC WISHING TO ADDRESS THE COUNCIL:

C. PRESENTATIONS:

3. A report regarding the Legislative Conference held in Washington, D.C. (B. CALLAIS)
4. Mr. Ray Ford with Hospital Service District No. 1(Lady of the Sea Hospital) to give an annual finance report and other matters.

D. PROCLAMATION:

5. Proclamation proclaiming the week of April 10-16, 2005, as “National Public Safety Telecommunicators Week” in Lafourche Parish. (M. ATZENHOFFER)

E. ADMINISTRATIVE REPORT(S):

F. ENGINEERING REPORT(S):

G. LEGAL ADVISOR REPORT:

H. EXECUTIVE SESSION:

Motion by _____, seconded by _____, to open Executive Session.

6. Executive Session to discuss the following:
 - a) Charles Banta, III, et al versus Lindel Toups, et al, Docket No. 100486
 - b) The Board of Commissioners of the North Lafourche Conservation Levee and Drainage District versus Smithport Planting, Docket No. 86727
 - c) Lafourche Real Estate versus Lafourche Parish Council, Docket No. 83939
 - d) Lafourche Parish Council, et al versus Charles R. Banta, III, et al, Docket No. 97953

Motion by _____, seconded by _____, to close Executive Session and reconvene the meeting, and take any action necessary from Executive Session.

I. ORDINANCE FOR RATIFICATION AND DISCUSSION:

(THE PUBLIC HEARING FOR THIS ITEM WAS HELD AT THE FEBRUARY 22ND LPC MEETING)

7. ORDINANCE rescinding Ordinance No. 2795 and enacting a new ordinance stating that the street between West 55th and West 56th Streets is hereby considered to be West Avenue C, Ward 10, District 8 of Lafourche Parish; and authorizing the necessary placement of the new street name sign. (B. CALLAIS) (THIS ITEM WAS DEFERRED FROM THE 2-22-05 MEETING.)

J. PUBLIC HEARING & ORDINANCES FOR RATIFICATION:

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

8. ORDINANCE declaring property belonging to the Lafourche Parish Council, as surplus property. (M. ATZENHOFFER)
9. ORDINANCE providing for a supplemental appropriation for the Lafourche Parish 2005 Operation and maintenance Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter. (T. LASSEIGNE)
10. ORDINANCE providing a variance from the Lafourche Parish Subdivision Regulations at French Turn Subdivision, Addendum No. 2, Ward 10, District 8, as recommended by the Lafourche Parish Planning Commission at their January 27, 2005 meeting. (B. CALLAIS)
11. ORDINANCE providing a variance from the Lafourche Parish Subdivision Regulations at Elvin J. LeBlanc Subdivision, Addendum No. 1, Ward 4, District 7, as recommended by the Lafourche Parish Planning Commission at their January 27, 2005 meeting. (P. GOUAUX)
12. ORDINANCE providing a variance from the Lafourche Parish Subdivision Regulations at Highlands, Addendum No. 1, Ward 10, District 8, as recommended by the Lafourche Parish Planning Commission at their January 27, 2005 meeting. (B. CALLAIS)
13. ORDINANCE providing for the purchase of a parcel of property on the corner of Cypress Villa Lane and Shady Drive adjacent to the Jesse Dufrene Pump Station from its owner, Howard Dufrene for its appraised value of \$1,500; and authorizing the Parish President to sign all necessary documents. (L. TOUPS)
14. ORDINANCE approving the attached servitude amendment with Dickie Bourgeois; and authorizing the Parish President to sign, execute and administer said agreement. (T. LASSEIGNE)
15. ORDINANCE adding Section 14:151 to Sub-Chapter "D" of Chapter 14 of the Code of Ordinances for the Lafourche Parish Council as it pertains to the consumption of alcoholic beverages, liquor and malt beverages prohibited in public; and providing for penalties for violators thereof. (M. ATZENHOFFER)

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

K. PROPOSED ORDINANCES:

16. PROPOSED ORDINANCE authorizing the signing of a servitude agreement between Frank Jay Stouder II and Robin Stouder Carroll to construct, operate and maintain a fifteen foot drainage and maintenance servitude plus the width of a swale ditch north of Terre Haute Subdivision and a twenty foot drainage and maintenance servitude plus the width of the ditch adjacent to Terre Haute Subdivision; and authorizing the Parish President to sign, execute, and administer said servitude agreements. (B. CALLAIS)
17. PROPOSED ORDINANCE authorizing the signing of a servitude agreement between Jerry Ledet and Corina Pitre Ledet to construct, operate and maintain a fifteen foot drainage and maintenance servitude plus the width of ditch on the eastern side of Highway 3235 right-of-way line; and authorizing the Parish President to sign, execute, and administer said servitude agreement. (D. LORRAINE)
18. PROPOSED ORDINANCE authorizing the signing of a servitude agreement between Eric John Vizier, by Attorney-in-fact, Nicolette Vizier to construct, operate and maintain a fifteen foot drainage and maintenance servitude plus the width of the ditch on the eastern side of Highway 3235; and authorizing the Parish President to sign, execute, and administer said servitude agreement. (B. CALLAIS)
19. PROPOSED ORDINANCE authorizing the signing of a servitude agreement between John P. Parr to construct, operate and maintain a twenty foot drainage and maintenance servitude, plus the width of the ditch along Highway 1 to the Parr Pump Station; and authorizing the Parish President to sign, execute, and administer said servitude. (P. GOUAUX)
20. PROPOSED ORDINANCE authorizing the signing of a servitude agreement regarding Acadia Plantation 40-Arpent Drainage; and authorizing the Parish President to sign, execute, and administer said servitude. (T. LASSEIGNE)
21. PROPOSED ORDINANCE creating a policy stating that any parish board, agency, or non-profit organization that requests any funds from the parish must provide the Council with a copy of their current audited financials prior to the parish transferring the funds, and also request that the Lafourche Parish Finance Department review the audit financials and give a report to the Council on their findings. (P. GOUAUX)
22. PROPOSED ORDINANCE designating that all future division of land for development that surrounds East 40th Street (Bayou L' Ours Road), the landowner will be required by the Lafourche Parish Council to meet the subdivision regulations and install the required water lines (nothing smaller than eight inches) and fire hydrants; and providing for penalties for violators thereof. (B. CALLAIS)
23. PROPOSED ORDINANCE de-dedicating the last 380 feet of West 17th Street, Ward 10, District 8 of Lafourche Parish. (B. CALLAIS)

24. PROPOSED ORDINANCE authorizing the purchase of the building located at 200 West 2nd Street in Thibodaux, Louisiana, more commonly referred to as the Whitney Building from Whitney National Bank to house the District Attorney's Office and a portion of the Sheriff's or for any other parish use; to authorize purchase for the appraised value of \$2,500,000.00 less the amount of \$20,000.00 previously paid as a deposit; to authorize the expenditure of an amount not to exceed \$500,000.00 for the performance and completion of the recommended renovations and repairs on said building; to authorize the Parish President to sign any and all necessary sale documents; to forward a certified copy to all parties; and to provide for publication in the Official Journal. (M. MATHERNE)
25. PROPOSED ORDINANCE prohibiting "loitering" on East 95th Street, Ward 10, District 9 of Lafourche Parish; authorizing the installation of the necessary no loitering signs; and providing for penalties of violators thereof. (D. LORRAINE)
26. PROPOSED ORDINANCE establishing a twenty-five (25) miles per hour speed limit on East Fontinelle Street and fifteen (15) miles per hour in front of the Head Start School; authorizing the installation of the necessary speed limit signs; and providing for penalties of violators thereof. (L. TOUPS)
27. PROPOSED ORDINANCE reducing the speed limit from twenty-five (25) miles per hour to fifteen (15) miles per hour on Prim Rose Drive, Ward 6, District 2; authorizing the installation of the necessary speed limit signs; and providing for penalties of violators thereof. (M. DELATTE)
28. PROPOSED ORDINANCE adding Section 25:23(B) to Sub-Chapter "A" of Chapter 25 of the Code of Ordinances of the Lafourche Parish Council as it pertains to sizes of culverts to be used in the parish unless otherwise specified in writing by the Director of the Department of Public Works or a certified Civil Engineer. (P. GOUAUX)
29. PROPOSED ORDINANCE amending and re-enacting Section 15:75 of Sub-Chapter "E" of Chapter 15 of the Code of Ordinances for the Lafourche Parish Council, to change the term "No Wake Zone" to "Idle Speed Only", to add a definition for "Idle Speed Only" and sign requirements; and providing for penalties of violators thereof. (P. GOUAUX)

L. RESOLUTIONS:

30. RESOLUTION requesting that the Parish President shall serve as a voting member on the Community Action Advisory Board. (M. ATZENHOFFER)
31. RESOLUTION appointing Joe Mickles as an alternate to Councilman Daniel Lorraine on the Detention Center Improvement Subcommittee. (D. LORRAINE)
32. RESOLUTION appointing Ms. Marilyn Kilgen to the Lafourche Commission for Women Board to fill one of three vacancies. (M. MATHERNE)

33. RESOLUTION re-appointing Mr. Bruce L. McManis, Mr. James L. Barnidge, and Mr. Charles P. Maggio, to the Home Mortgage Authority Board. (M. MATHERNE) (DEADLINE IS 3-7-05, YOU WILL BE NOTIFIED IF ANY ADDITIONAL APPLICATIONS ARE RECEIVED)
34. RESOLUTION asking the Governor of the State of Louisiana to appoint Ms. Cathy Blanchard to the Louisiana Wild Caught Shrimp Trade Action Advisory Council. (D. LORRAINE)
35. RESOLUTION providing increased funding and a cooperative endeavor agreement to support 2005 funding levels for operational and capital expenses of the Council on Aging, Inc.; and authorizing the Parish President to sign, execute and administer an amended agreement. (L. TOUPS)
36. RESOLUTION requesting the Lafourche parish Council to review and approve the Lafourche Parish Head Start Impasse policy and procedure, per the Head Start performance standard #1304.50(h). Lafourche Parish Head Start Policy Council approved on January 10, 2005. (T. WILLIAMS)
37. RESOLUTION approving the contract(s) between Lafourche Parish and Sealevel Construction, Inc., for the sum of \$245,000.00 for the kennel building portion of the revised animal shelter project, with the total amount of 26 kennels; and authorizing the Parish President to sign and administer said contracts. (M. MATHERNE)
38. RESOLUTION approving the contract between Lafourche Parish and Nick Martinolich, Inc., for the sum of \$13,000.00 for the movement of the administration building for the revised animal shelter located presently at 1425 Tiger Drive, Thibodaux, to its final location of West Thibodaux, By-Pass Road (Detention Center site); and authorizing the Parish President to sign all necessary documents. (M. MATHERNE)
39. RESOLUTION approving the contract(s) between Lafourche Parish and M & H Builders, Inc. for the sum of \$109,290.00 for the finishing of the office building of the revised animal shelter project; and authorizing the Parish President to sign and administer said contracts. (M. MATHERNE)
40. RESOLUTION providing that distributions from the 2004 end of year fund balance in the Lafourche Board of Health Fund #109 (estimated at \$5,966,568) be included with any subsequent proceeds to be distributed as per the Rededication Proposition with (1) at least 50% for public health purposes, (2) at least 25% for Senior Citizens Programs, and (3) the remainder to either of the preceding uses or other uses as specified in the Rededication Proposition and that any prior appropriation of funds be adjusted to conform to such distribution. (T. LASSEIGNE)
41. RESOLUTION rescinding Resolution No. 05-023 and adopting a new Resolution requesting Senator Reggie Dupre and Representative Loulan Pitre to pass a local bill that would create a Board of Commissioner to serve as the Governing Authority for the Veteran's Memorial District (VMD) of Ward 10 of Lafourche Parish. (D. LORRAINE)

42. RESOLUTION supporting the bill referred to as the "Disaster Prevention Protection Act of 2005" being submitted by Congressman Bobby Jindal and Senator David Vitter that will amend the Internal Revenue Code of 1986 to exclude disaster mitigation payments from gross income. (M. ATZENHOFFER)
43. RESOLUTION requesting the Administration not to award any other contracts to Richard Weimer Architect AIA LLC for one calendar year starting March 1st for failure to respond to the governing authorities request to appear at a Council meeting. (M. ATZENHOFFER)
44. RESOLUTION requesting the Administration to add into all future contracts that anyone who enters into a contract with the parish must appear before the Council when requested and failure to appear is just cause to terminate their contract. (M. ATZENHOFFER)
45. RESOLUTION requesting the Louisiana Department of Transportation and Development to designate a "No Parking" zone along the south side of West 177th Street on Louisiana Highway 1. (D. LORRAINE)
46. RESOLUTION requesting the Lafourche Basin Levee District to sweep and clean Mid-way Canal No. 1, south to the Raceland junction of Louisiana Highway 182 between old Highway 90 and the railroad tracks. (M. DELATTE)

M. DISCUSSIONS:

47. DISCUSSION concerning Morristown Project. (T. LASSEIGNE)
48. DISCUSSION concerning the implementation schedule on road projects in Road Sales Tax Districts 3, 5, and 6. (T. LASSEIGNE)
49. DISCUSSION concerning the Veteran's Memorial District. (M. ATZENHOFFER)
50. DISCUSSION concerning Resolution No. 04-061 as it pertains to maritime curfews on parish and state bridges in the South Lafourche community. (D. LORRAINE)
51. DISCUSSION concerning roadside vendors. (L. TOUPS)
52. DISCUSSION concerning pictometry. (M. MATHERNE)
53. DISCUSSION concerning an update on possible new Galliano bridge. (D. LORRAINE)
54. DISCUSSION concerning an audit liaison to the parish Council. (B. CALLAIS)

N. ADJOURNMENT:

On motion by _____, seconded by _____ and with no further business, the Lafourche Parish Council meeting of March 8, 2005 adjourned at _____.