

PUBLIC NOTICE

L A F O U R C H E P A R I S H C O U N C I L

GOVERNING AUTHORITY

MEETING NOTICE AND AGENDA

AGENDA FOR MEETING TO BE HELD: Tuesday, July 10, 2007

**PLACE: Lafourche Parish Council Barrios Center, 1612 Highway 182,
Suite 100, Raceland, Louisiana**

TIME: 5:00 p.m.

CALL TO ORDER: Dr. Tommy Lasseigne, Chairman

ROLL CALL: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Dr. Tommy Lasseigne, Chairman
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Brent Callais
Mr. Daniel Lorraine, Vice-Chair
Ms. Charlotte Randolph, Parish President

INVOCATION: Mr. Michael Delatte

PLEDGE OF ALLEGIANCE: Mr. Tyrone Williams

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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.

A. APPROVAL OF MINUTES:

1. Motion to accept the minutes of the **June 26, 2007 Regular Session**.

B. PUBLIC WISHING TO ADDRESS THE COUNCIL:

C. PRESENTATIONS:

2. **Ms. Beryl Pitre, Housing Authority**, to present their annual report.
3. **Mr. Chester Chiasson, Veterans Memorial District**, to present their annual report.

D. EXECUTIVE SESSION:

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

4. Settlement of **Nadine Gray, Claim #531766 Workers Compensation**.

Motion by _____, seconded by _____, to reconvene the meeting and take any necessary action.

E. ADMINISTRATIVE REPORT(S):

5. Presentation of WOW candidates and the **Employee of the Month for June 2007**.
6. **Mr. Ray Cheramie**, Director of DPW, to present a Public Works Report.
7. **Mr. Brennan Matherne** to present Public Facilities and Recreation Report.
8. Update regarding **Resolution 07-177** from the Library Director, President of the board and the Finance Department. (M. ATZENHOFFER)
9. Update on the DOTD **Drainage Study of Delta Farm**. (P. GOUAUX)

F. ENGINEERS/ARCHITECTS REPORT:

G. LEGAL ADVISOR REPORT:

H. ORDINANCES FOR DISCUSSION AND RATIFICATION:

(PUBLIC HEARING WAS HELD AT THE 06-26-07 LPC MEETING)

10. ORDINANCE amending **Sections 108 and 113 of Chapter 5, Sub-Chapter B** of the Lafourche Parish Code of Ordinance **relative to permit fees and fees for violation of the Lafourche Parish Building Code**. (M. ATZENHOFFER FOR ADMINISTRATION)

I. PUBLIC HEARING & ORDINANCES FOR RATIFICATION:

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

11. ORDINANCE approving the **holding of an election in Recreation District No. 11** of the Parish of Lafourche, State of Louisiana, on Saturday, October 20, 2007, to authorize the levy of a special tax therein. (M. ATZENHOFFER)
12. ORDINANCE to **change the name of Polling Precincts 4-5, 10-8 and 10-9**; to further establish the effective date of same; and to provide for other matters thereof. (P. GOUAUX AND D. LORRAINE)
13. ORDINANCE providing for the levy within **Consolidated Sales Tax District A** of the Parish of Lafourche, State of Louisiana, of a **one percent (1%) sales and use tax** (the "Tax") upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said District and for the assessment, collection, payment thereof and the dedication of the proceeds of said Tax and the purpose for which the proceeds of the Tax may be expended, said Tax having been authorized at a special election held in the District on March 31, 2007. (M. MATHERNE FOR ADMINISTRATION)
14. ORDINANCE providing for the levy within **Road Sales Tax District No. 2** of the Parish of Lafourche, State of Louisiana, of a **one-half of one percent (½%) sales and use tax** (the "Tax") upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said District and for the assessment, collection, payment thereof and the dedication of the proceeds of said Tax and the purpose for which the proceeds of the Tax may be expended, said Tax having been authorized at a special election held in the District on March 31, 2007. (B. CALLAIS FOR ADMINISTRATION)
15. ORDINANCE **increasing the Fifteen (15) miles per hour speed limit to Twenty (20) miles per hour on North Carol Street**, Ward (4), District (6), Parish of Lafourche, State of Louisiana; providing for the placement of speed limit signs; and providing penalties for the violations thereof. (L. TOUPS AND P. GOUAUX)
16. ORDINANCE stating that it **shall be unlawful for any person in any public place or in view of the public**, to be found in a state of nudity, or partial nudity, or in dress not becoming to his or her sex, or in any **indecent exposure of his or her person or undergarments**, or be guilty of any indecent or lewd behavior. (L. TOUPS)
17. ORDINANCE to authorize an **Act of Sale by the Lafourche Parish Council to sell property and improvements thereon located at 17630 Highway 1, Galliano**, providing certified copies to all parties of the Act of Sale, and authorizing the Parish President to sign, execute, and administer related documents. (B. CALLAIS FOR ADMINISTRATION)

18. ORDINANCE **amending and re-enacting Section 24:900 (B) of Sub-Chapter “R” of Chapter 24 of the Code of the Ordinances** for the Lafourche Parish Council by **adding a sentence allowing for the removal of members of the Lafourche Parish Game and Fish Management Commission** by a two thirds vote of the Lafourche Parish Council and just cause. (P. GOUAUX)
19. ORDINANCE approving the **Servitude Agreement between Kim John Joachim**, and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. (T. LASSEIGNE FOR ADMINISTRATION)
20. ORDINANCE approving the **Servitude Agreement between William Vedros and Betty Dufrene Vedros** and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. (B. CALLAIS FOR ADMINISTRATION)
21. ORDINANCE to provide for **2007 Supplemental Appropriation** for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget for the **payment of the pavilions at the Bayou Blue Recreational grounds** for the Recreation Department as provided for by Article VI of the Lafourche Parish Home Rule Charter. (T. LASSEIGNE FOR ADMINISTRATION)

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

J. PROPOSED ORDINANCES:

22. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to when the Civil Service Director position is vacant**, and enacting certain other provisions in connection therewith. (M. ATZENHOFFER)
23. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to requiring the Council Clerk to sign the Budget Ordinance in addition to the Council Chair**, and enacting certain other provisions in connection therewith. (T. LASSEIGNE)
24. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to classified legislative employees and legislative custodian of records**, and enacting certain other provisions in connection therewith. (T. LASSEIGNE)
25. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to the interference with officers and employees of the executive branch**, and enacting certain other provisions in connection therewith. (T. LASSEIGNE)

26. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to term limits**, and enacting certain other provisions in connection therewith. (M. MATHERNE)
27. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to necessary votes needed to remove the Department Heads and Administrator**, and enacting certain other provisions in connection therewith. (D. LORRAINE)
28. PROPOSED ORDINANCE submitting a proposed amendment to the current Lafourche Parish Home Rule Charter for the Parish of Lafourche, State of Louisiana, **as it pertains to necessary votes needed to remove the Council Clerk**, and enacting certain other provisions in connection therewith. (D. LORRAINE)
29. PROPOSED ORDINANCE to provide for **2007 Supplemental Appropriation** for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget **for Library Renovations** as provided for by Article VI of the Lafourche Parish Home Rule Charter. (M. ATZENHOFFER FOR ADMINISTRATION)
30. PROPOSED ORDINANCE providing a **Variance from the Lafourche Parish Subdivision Regulations** on the **division of Lot 3-F of Soileau Subdivision** (Ward 10, District 9) as recommended by the Lafourche Parish Planning Commission at their June 28, 2007, meeting. (D. LORRAINE FOR ADMINISTRATION)
31. PROPOSED ORDINANCE **amending Ordinance No. 4051** as it pertains to fixing **salaries of unclassified employees**. (T. WILLIAMS FOR ADMINISTRATION)
32. PROPOSED ORDINANCE **decreasing the Twenty (20) miles per hour speed limit to Fifteen (15) miles per hour on Chester Lee Street**, Ward (9), District (7), Parish of Lafourche, State of Louisiana; providing for the placement of speed limit signs; and providing penalties for the violations thereof. (P. GOUAUX)

K. RESOLUTIONS:

33. RESOLUTION in support of a **Grant application by Lafourche Parish Government** with the State of Louisiana, **Office of Community Development, Local Government Assistance Program**. (T. LASSEIGNE FOR ADMINISTRATION)
34. RESOLUTION authorizing the Parish President to **reduce the amount budgeted for various Pavilions & Walking Trails** within the Lafourche Parish 2007 Capital Budget by \$57,083 and **approving a Transfer of Appropriation to create the Golden Meadow Boat Launch Parking Lot Project** within the capital projects fund with said funds. (D. LORRAINE FOR ADMINISTRATION)

35. RESOLUTION approving a **Cooperative Endeavor Agreement** between the Lafourche Parish Council, **Town of Golden Meadow and Lafourche Parish Recreation District No. 3 to plan, design, construct and maintain a parking lot at the Golden Meadow Boat Launch site**; and authorizing the Parish President to sign, execute and administer said agreement(s). (D. LORRAINE FOR ADMINISTRATION)
36. RESOLUTION approving a **Cooperative Endeavor Agreement between South Central Planning & Development Commission (SCPDC)** and Lafourche Parish Government for the **2007 Administration dues of the EDA Revolving Loan Fund** and authorizing the Parish President to sign, execute and administer said agreement. (M. ATZENHOFFER FOR ADMINISTRATION)
37. RESOLUTION **amending a Contract for services with Larry J. Picciola, Inc.**, to provide supervision and oversight of the Parish's Road Construction Projects and authorizes the Parish President to sign, execute and administer said contract. (M. ATZENHOFFER FOR ADMINISTRATION)
38. RESOLUTION approving the **Contract with the Strategies To Empower People (STEP) Contract** for the program year 2007-2008 with the LAT Workforce Investment Board, Inc. **to receive funding for Workforce Investment Area #31**; and authorizing the Parish President to sign, execute and administer contract and associated documents and amendments. (M. ATZENHOFFER FOR ADMINISTRATION)
39. RESOLUTION requesting the **Administration look into purchasing new grass cutting tractors**. (P. GOUAUX)
40. RESOLUTION requesting to the Louisiana Department of Transportation and Development (**LADOTD**) **to perform a traffic study** regarding the installation of a **traffic light and a turning lane on Louisiana Highway 1 Southbound at the T-Bois Bridge**. (P. GOUAUX)
41. RESOLUTION **objecting to the passage of House Rule No. 2421** The Clean Water Restoration Act of 2007. (M. ATZENHOFFER)

L. DISCUSSIONS:

42. DISCUSSION concerning the **Official Journal**. (M. ATZENHOFFER)

M. ADJOURNMENT:

On motion by _____, seconded by _____ and with no further business, the Lafourche Parish Council meeting of **July 10, 2007 adjourned** at _____.

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JUNE 26, 2007
RACELAND, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JUNE 26, 2007 AT 5:00 P.M., AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HIGHWAY 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the Governing Authority of said Parish by Dr. Tommy Lasseigne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 5:00 p.m.

Chairman Lasseigne announced that the invocation would be led by Mr. Mark Atzenhoffer. The Council then recited the Pledge of Allegiance led by Mr. Phillip Gouaux. Proceedings of the meeting were called to order with the following:

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

ABSENT: None

APPROVAL OF COUNCIL MINUTES

The first item (1) on the agenda was a motion to accept the minutes of the June 12, 2007 Regular Session meeting. A **motion** to accept was made by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** by a vote of (9) yeas and (0) nays.

PUBLIC WISHING TO ADDRESS THE COUNCIL

The next item (2) on the agenda was Ms. Jan Britt to address the Council regarding Lake Long Drive. Ms. Britt first thanked the Council for the opportunity and then addressed her concerns on Lake Long Drive located in lower Bayou Blue, beginning with the Tina Guidry Subdivision. She stated that it was approved by Council with much objection of the residence of the area. Ms. Britt gave examples of her concerns stating incidents that had happened in the last three years, which included a hostage situation/standoff with the Sheriff's Office, drug busts, constant joyriding traffic on anything motorized (vehicles, 4-wheelers, golf carts, "sopped-up" lawnmowers, loitering, teenagers out way past curfew, drinking, vandalism, drug dealing, etc.) She stated that the restrictions imposed on the Subdivision, which was also filed at the Court House, by Tina Guidry and Robert Hale was not being enforced. Ms. Britt suggested that the Council should oversee what they approve. She then continued to passionately

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complain about the deplorable conditions of the street, down Lake Long Drive, and the higher traffic count coming in on a one-way in/one-way out substandard road. Ms. Britt said that the “no parking, fire lane” and the “25 miles per her speed limit” street signs were not being obeyed, nor being enforced. She expressed further her feelings by saying that the streets were not being repaired correctly, that it did no good, and was a total waste of taxpayers’ money. Ms. Britt stated that she realizes that engineering and surveying crews are intending on repairing the street and questioned if they would be covering it at the same width or would they be widening it. She continued to express her feelings and concerns in further detail.

Mr. Atzenhoffer thanked Ms. Britt for her time and for presenting the issues at hand. He then additionally expressed his concerns with the restrictions not being enforced and agreed that the road does indeed need to be fixed.

A **motion** was made by Mr. Matherne, seconded by Mr. Gouaux, to **open a Two-Thirds Agenda** and to then **deviate from the order of the agenda (moving items C – E to the end of the meeting)**, and **carried** by a vote of (9) yeas and (0) nays.

TWO-THIRDS AGENDA

The first item (1) on the Two-Thirds agenda was a proposed ordinance to provide for 2007 Supplemental Appropriation for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget for the payment of the pavilions at the Bayou Blue Recreational grounds for the Recreation Department as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the proposed ordinance.

PROPOSED ORDINANCE SUPPLEMENTAL APPROPRIATION - RECREATION

The next item (2) on the Two-Thirds agenda was a resolution requesting the Lafourche Parish Library Board of Control make a payment of Four Million, Two Hundred Thousand dollars (\$4,200,000) to the Lafourche Parish Government Department of Finance to be held in an Escrow account for the actual construction costs of the Thibodaux Library. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. Mr. Daniel Lorraine questioned the possible affect to the Lockport Library, if this were to be done. He asked if the funds were going to be available and not affect the Library to being built in Lockport. Chairman Lasseigne replied by saying that “they” said that they would have the funds. A brief explanation for clarification ensued. A **motion to amend** was made by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer to state, “*Whereas, any interest earned will be for the Library*”. Mr. Cullen Curole requested that similar escrows be set up for any other approvals for projects because a Supplemental Appropriation could be submitted to bring the revenues and have the dollars available. The **amendment carried** unanimously by a vote of (9) yeas and (0) nays. Mr. Brent Callais asked how much the construction budget of the Library Board was. Chairman Lasseigne responded by saying that the initial construction budget was \$3.1, with “them” saying that “they” have approximately \$1.1. Mr. Callais clarified by asking, “What is the overall for Lockport, Thibodaux and Larose?” saying that he had heard different amounts: 8.7, then five point something. Detailed discussion and explanations ensued. Mr. Atzenhoffer stated that the total numbers, including land acquisitions, which had been voted on and given to the Council when the plans were submitted are: Lockport at \$2 million, Thibodaux at \$4 million and Larose at \$850,000. Then, he said that the construction budgets were: \$650 for Larose, \$1.4 for Lockport and \$3.1 for Thibodaux. Brief discussions and complaints ensued in regards to the inconsistency of numbers that were given to the Council. Mr. Gouaux expressed his opinions on the matter. Detailed discussions again ensued. A **second amendment** was made by Mr. Atzenhoffer and seconded by Mr. Phillip Gouaux to add, “*\$2.5 million for Lockport and \$1.3 million for Larose*”. Mr. Matherne stated that he thought that there may be additional options for Lockport besides new construction, saying that he heard conversations of

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buying the existing building, right in the middle of town. Discussions again ensued. The *second amendment carried* by a vote of (9) yeas and (0) nays. The amended resolution then *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-177 LIBRARY BOARD OF CONTROL – ESCROW ACCOUNTS

The next item (3) on the Two-Thirds agenda was a resolution requesting the Administration propose a Supplemental Appropriation to authorize the transfer of Twenty Thousand (\$20,000) dollars to the Legislative Department to cover costs of the annual Financial and Compliance Audit of the Parish.

A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-178 SUPPLEMENTAL APPROPRIATION - LEGISLATIVE DEPARTMENT – ANNUAL FINANCIAL AND COMPLIANCE AUDIT

The next item (4) on the Two-Thirds agenda was a resolution accepting the low bid of M&H Builders, Inc in the amount of \$911,000 for the Larose Branch Library construction, and authorizing the Parish President to sign and administer said contracts. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups. Mr. Michael Matherne stated that he had a conversation with the President of the Library Board and he had indicated that he was interested in bidding some alternates to see if he could get the project for under the \$911,000 amount. Discussions then ensued regarding modifications to the bid plans. The motion *carried* by a vote of (8) yeas and (1) nay, that being of Mr. Michael Matherne.

RES. NO. 07-179 ACCEPTING LOW BID - M&H BUILDERS, INC – LAROSE BRANCH LIBRARY CONSTRUCTION

The next item (4a) on the Two-Thirds agenda was a resolution to appoint Wayne Martin to the South Lafourche Beachfront Development District to represent District 8. A **motion** was made by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Matherne asked if this was advertised, to which Mr. Callais responded that it was. The motion *carried* by a vote of (7) yeas and (2) nays, that being Mr. Michael Matherne and Mr. Lindel Toups.

RES. NO. 07-180 APPOINTING WAYNE MARTIN – SOUTH LAFOURCHE BEACHFRONT DEVELOPMENT DISTRICT

The next item (5) on the Two-Thirds agenda was a motion to appoint an Official Journal for the Lafourche Parish Council for the period of July 1, 2007 to June 30, 2008. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. Mr. Matherne suggested that the Daily Comet be appointed because they were the one who qualified. He said that the State has dictated the rate and that an appointment needed to be made by July 1st. Mr. Brent Callais questioned if they had expressed interest in doing so, with replies being that they didn't have to. Mr. Atzenhoffer stated that there should be a dollar amount in the contract. Detailed discussions and debates ensued regarding amounts so that it would not be an open contract. The motion *carried* by a vote of (8) yeas and (1) nay, that being of Mr. Mark Atzenhoffer.

A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine to *close* the Two-Thirds Agenda and *return* to the regular agenda.

LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. *The Legal Advisor was not present.*

ORDINANCES FOR DISCUSSION AND RATIFICATION

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The next item (9) on the agenda was an ordinance removing item “D” and amending and re-enacting item “E” under Section 9:100 of Sub-Chapter “C”, Nuisance Abatement, of Chapter 9 of the Code of the Ordinances for the Lafourche Parish Council as it pertains to littering prohibited. A **motion** was made by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4073 AMENDING NUISANCE ABATEMENT - LITTERING

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to **open** the Public Hearing & Ordinances for Ratification, and **carried** by a vote of (9) yeas and (0) nays.

PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (10) on the agenda was an ordinance amending Section 5:99-121 of Chapter 5, Sub-Chapter B of the Lafourche Parish Code of Ordinance relative to the role of the Building Official within the Lafourche Parish Building Code. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4074 AMENDING BUILDING CODE - BUILDING OFFICIAL

The next item (11) on the agenda was an ordinance amending Sections 100 and 104 of Chapter 5, Sub-Chapter B of the Lafourche Parish Code of Ordinance relative to third party inspectors and testing requirements within the Lafourche Parish Building Code. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4075 AMENDING BUILDING CODE – 3RD PARTY INSPECTORS & TESTING

The next item (12) on the agenda was an ordinance amending Sections 108 and 113 of Chapter 5, Sub-Chapter B of the Lafourche Parish Code of Ordinance relative to permit fees and fees for violation of the Lafourche Parish Building Code. A **motion to defer** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** by a vote of (9) yeas and (0) nays.

The next item (13) on the agenda was an ordinance amending Section 5:105 of Chapter 5, Sub-Chapter B of the Lafourche Parish Code of Ordinance relative to work exempt from permits the Lafourche Parish Building Code and permit schedule. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Lindel Toups, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4076 AMENDING BUILDING CODE - WORK EXEMPT FROM PERMITS

The next item (14) on the agenda was an ordinance authorizing Change Order No. 2 of the existing contract (Ordinance No. 3516) between Lafourche Parish and SWDI, LLC, adjusting the number of producer units from 29,650 to 30,465; and authorizing the Parish President to sign related documents. *Mr. Daniel Lorraine abstained.* Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and **carried** by a vote of (7) yeas, (0) nays, (1) absent from the room, that being of Mr. Mark Atzenhoffer and (1) abstention, that being of Mr. Daniel Lorraine.

ORD. NO. 4077 CHANGE ORDER NO. 2 - SWDI, LLC - PRODUCER UNITS

The next item (15) on the agenda was an ordinance to provide for 2007 Supplemental Appropriation Number Ten (10) for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget to address Carry Forwards/De-obligations from the 2006 Budget and other necessary

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adjustments from the 2006 Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4078 SUPPLEMENTAL APPROPRIATION #10

The next item (16) on the agenda was an ordinance approving the Servitude Agreement between Howie J. Guidry and Annette Berthelot Guidry and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Lorraine, seconded by Mr. Atzenhoffer, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4079 SERVITUDE AGREEMENT - HOWIE & ANNETTE GUIDRY

The next item (17) on the agenda was an ordinance providing a Variance from the Lafourche Parish Subdivision regulations on Shelby Estates Subdivision at Greenwood Plantation Estates, Ward (5), District (2), as recommended by the Lafourche Parish Planning Commission at their May 31, 2007 Meeting. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Michael Matherne, seconded by Mr. Michael Delatte, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4080 VARIANCE - SHELBY ESTATES SUBDIVISION

The next item (18) on the agenda was an ordinance accepting the Subdivision known as Paradise Cove Subdivision into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4081 ACCEPTING PARADISE COVE SUBDIVISION

The next item (19) on the agenda was an ordinance accepting the Subdivision known as the Oak Manor Subdivision, Addendum No. 2 into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4082 ACCEPTING OAK MANOR SUBDIVISION, ADDENDUM NO. 2

The next item (20) on the agenda was an ordinance accepting the Subdivision known as the Plaisance - Duet Lot Extensions into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and *carried* by a vote of (8) yeas, (0) nays, (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4083 ACCEPTING PLAISANCE - DUET LOT EXTENSIONS

The next item (21) on the agenda was an ordinance accepting the Subdivision known as the Reynolds Duet Subdivision into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent from the room, that being of Mr. Brent Callais.

ORD. NO. 4084 ACCEPTING REYNOLDS DUET SUBDIVISION

The next item (22) on the agenda was an ordinance requesting the placement of additional Speed Limit, Children at Play, and Speed Checked by Radar signs be erected on East 148th Street in

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accordance with Ordinance No. 1123 which established a Fifteen (15) miles per hour speed limit on East 148th Street, Ward (10), District (9), Parish of Lafourche, State of Louisiana and providing penalties for the violations thereof. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Lorraine, seconded by Mr. Atzenhoffer, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4085 ADDITIONAL SIGNAGE - EAST 148TH STREET

The next item (23) on the agenda was an ordinance establishing a Ten (10) miles per hour speed limit on First Street, Ward (6), District (2), Parish of Lafourche, State of Louisiana; providing for the placement of Speed Limit, Speed Checked by Radar, and Children at Play signs; and providing penalties for the violations thereof. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Delatte, seconded by Mr. Atzenhoffer, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4086 10 MPH SPEED LIMIT - FIRST STREET

The next item (24) on the agenda was an ordinance authorizing the Parish President to sell property having been declared as surplus and belonging to the Lafourche Parish Government to the highest qualified bidder; and authorize the Parish President to sign, execute and administer associated documents. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Tyrone Williams, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of (9) yeas and (0) nays.

ORD. NO. 4087 SELLING DELARED SURPLUS PROPERTY

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, to **close** the Public Hearing and Ordinances for Ratification.

PROPOSED ORDINANCES

The next item (25) on the agenda was a proposed ordinance to change the name of Polling Precincts 4-5, 10-8 and 10-9; to further establish the effective date of same; and to provide for other matters thereof. A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE CHANGING NAME - POLLING PRECINCTS 4-5, 10-8 & 10-9

The next item (26) on the agenda was a proposed ordinance providing for the levy within Consolidated Sales Tax District A of the Parish of Lafourche, State of Louisiana, of a one percent (1%) sales and use tax (the "Tax") upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said District and for the assessment, collection, payment thereof and the dedication of the proceeds of said Tax and the purpose for which the proceeds of the Tax may be expended, said Tax having been authorized at a special election held in the District on March 31, 2007. A **motion** was offered by Mr. Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE LEVY - CONSOLIDATED SALES TAX DISTRICT A

The next item (27) on the agenda was a proposed ordinance providing for the levy within Road Sales Tax District No. 2 of the Parish of Lafourche, State of Louisiana, of a one-half of one percent (½%) sales and use tax (the "Tax") upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said District and for the assessment, collection, payment thereof and the dedication of the proceeds of said Tax and the purpose for which the proceeds of the Tax may be expended, said Tax having been authorized at a special election held in the District on March 31, 2007. A **motion** was offered by Mr.

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Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE LEVY - ROAD SALES TAX DISTRICT NO. 2

The next item (28) on the agenda was a proposed ordinance increasing the Fifteen (15) miles per hour speed limit to Twenty (20) miles per hour on North Carol Street, Ward (4), District (6), Parish of Lafourche, State of Louisiana; providing for the placement of speed limit signs; and providing penalties for the violations thereof. A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SPEED LIMIT 15 TO 20 MPH - NORTH CAROL STREET

The next item (29) on the agenda was a proposed ordinance stating that it shall be unlawful for any person in any public place or in view of the public, to be found in a state of nudity, or partial nudity, or in dress not becoming to his or her sex, or in any indecent exposure of his or her person or undergarments, or be guilty of any indecent or lewd behavior. A **motion** was offered by Mr. Toups to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE INDECENT EXPOSURE

The next item (30) on the agenda was a proposed ordinance to authorize an Act of Sale by the Lafourche Parish Council to sell property and improvements thereon located at 17630 Highway 1, Galliano, providing certified copies to all parties of the Act of Sale, and authorizing the Parish President to sign, execute, and administer related documents. A **motion** was offered by Mr. Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ACT OF SALE - 17630 HIGHWAY 1, GALLIANO

The next item (31) on the agenda was a proposed ordinance amending and re-enacting Section 24:900 (B) of Sub-Chapter "R" of Chapter 24 of the Code of the Ordinances for the Lafourche Parish Council by adding a sentence allowing for the removal of members of the Lafourche Parish Game and Fish Management Commission by a two thirds vote of the Lafourche Parish Council and just cause. A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE GAME & FISH MANAGEMENT COMMISSION REMOVALS

The next item (32) on the agenda was a proposed ordinance approving the Servitude Agreement between Kim John Joachim, and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT - KIM JOHN JOACHIM

The next item (33) on the agenda was a proposed ordinance approving the Servitude Agreement between William Vedros and Betty Dufrene Vedros and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT - WILLIAM & BETTY VEDROS

RESOLUTIONS

The next item (34) on the agenda was a resolution approving an Intergovernmental Agreement between the North Lafourche Conservation, Levee & Drainage District (NLCLDD) and Lafourche Parish Government; and authorizing the Parish President to sign, execute and administer said agreement and any and all related documents. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Lindel Toups. Mr. Dwayne Bourgeois from Raceland briefly addressed the Council, strongly encouraged the adoption of this matter, and explained reasoning for same. Mr. Lorraine stated that he had checked this out and had a couple of questions in regards to the routine maintenance costs: if the Parish would pay for it, all the fuel and costs, paying for equipment to work with draglines, and assisting in mobilization of material that could be achieved by Parish owned equipment. He continued by saying

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that he understood that it would run the Parish about \$400,000 a year to do so. Mr. Lorraine requested that the Administration consider doing the same for South Lafourche Levee District, since the Parish has two Levee Districts. He further explained that the people of South Lafourche had voted on a one-cent sales tax to take it upon themselves, and that the people of North Lafourche had never had that opportunity to do so, yet. Mr. Gouaux recommended that the Council pass the resolution and stated that this would be a good thing for the Parish. President Randolph said that she had an informal discussion with the Director of the South Lafourche Levee District at their last meeting held, had asked how a similar arrangement could be done, and they agreed that there are opportunities to work something out. She stated that this would be the time to begin a formalized agreement. Mr. Delatte requested that the Council support the resolution and stated his reasoning. Discussions ensued regarding the similarities of the agreements to be made. Mr. Gouaux added that he had also attended the last North Lafourche meeting, that the Corp had made a presentation showing that their criteria for building levees had substantially changed, and that he personally thought that not too many levees would be built by the Corp because of the price and criteria required. He continued by saying that if the people were to be protected that it was up to the Parish and that the piece of equipment would help them to be well on the way to build the needed levees for protection. The motion *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-181 INTERGOVERNMENTAL AGREEMENT - NLCLDD

The next item (35) on the agenda was a resolution making application to the State Bond Commission for approval of the issuance of not exceeding Nine Million, Eight Hundred Thousand Dollars (\$9,800,000) of Sales Tax Refunding Bonds, Series 2007, of Consolidated Sales Tax District A of the Parish of Lafourche, State of Louisiana; and providing for other matters in connection with the proposed issuance of the Bonds. A **motion** was made by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-182 STATE BOND COMMISSION - APPROVAL OF ISSUANCE

The next item (36) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Gulf Offshore Logistics Services, LLC located at Port Fourchon, Lafourche Parish, Louisiana (Enterprise Zone advance notification #070773-0), to participate in the benefits of the Louisiana Enterprise Zone Program. A **motion** was made by Mr. Daniel Lorraine, seconded by Mr. Lindel Toups, and *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-183 ENTERPRISE ZONE - GULF OFFSHORE LOGISTICS SERVICES, LLC

The next item (37) on the agenda was a resolution appointing one (1) Commissioner to the Lafourche Parish Hospital Service District No. 2 Board. A **motion** was made by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux, to appoint Mr. John Doucet, and *carried* by a vote of (8) yeas and (1) nay, that being of Mr. Mark Atzenhoffer.

RES. NO. 07-184 APPOINTING A COMMISSIONER - HOSPITAL SERVICE DISTT NO. 2

The next item (38) on the agenda was a resolution appointing one (1) Member to the Lafourche Parish Fire Protection District No. 6 Board. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Mark Atzenhoffer, to appoint Mr. Richard Williams Jr., and *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-185 APPOINTING A MEMBER - FIRE PROTECTION DISTRICT NO. 6

The next item (39) on the agenda was a resolution reappointing one (1) Commissioner to the Lafourche Parish Library Board of Control. A **motion** was made by Mr. Michael Matherne, seconded by Mr. Lindel Toups, to reappoint Ms. Judy Babin, and *carried* by a vote of (8) yeas and (1) nay, that being of Mr. Mark Atzenhoffer.

RES. NO. 07-186 REAPPOINTING A COMMISSIONER - LIBRARY BOARD

The next item (40) on the agenda was a resolution appointing one (1) Commissioner to represent the Town of Golden Meadow on the South Lafourche Beachfront Development District. Mr. Daniel Lorraine stated that the Town of Golden Meadow had recommended Mr. Doug Cheramie Sr. and then he

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requested that the Council accept. A **motion** was made by Mr. Daniel Lorraine, seconded by Mr. Brent Callais, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-187 APPOINTING A COMMISSIONER - TOWN OF GOLDEN MEADOW - SOUTH LAFOURCHE BEACHFRONT DEVELOPMENT DISTRICT

The next item (41) on the agenda was a resolution appointing one (1) Commissioner to the Lafourche Parish Home Mortgage Authority. Mr. Daniel Lorraine stated that the Town of Golden Meadow had recommended Mr. Willis Toups and that he did not object. A **motion** was made by Mr. Daniel Lorraine, seconded by Mr. Brent Callais, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-188 APPOINTING A COMMISSIONER - HOME MORTGAGE AUTHORITY

The next item (42) on the agenda was a resolution appointing one (1) Commissioner to the South Lafourche Beachfront Development District. A **motion** was made by Mr. Daniel Lorraine, seconded by Mr. Lindel Toups, to appoint Mr. Ricky Cheramie, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-189 APPOINTING A COMMISSIONER – SOUTH LAFOURCHE BEACHFRONT DEVELOPMENT DISTRICT

The next item (43) on the agenda was a resolution approving Change Order No. 2 for Valentine & Leblanc, Inc. to increase the contract time by 10 days for the project: Marydale Subdivision Waterline Improvements; and authorizing the Parish President to execute change order and associated documents. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-190 CHANGE ORDER NO. 2 - VALENTINE & LEBLANC, INC.

The next item (44) on the agenda was a resolution accepting the low bid of Sealevel Construction, Inc. and entering into a contract with said Contractor for the project entitled “Road Improvements, Road Sales Tax District 2, Series Package 4C”, in the amount of one million, five hundred ninety-four thousand, four hundred eighty six dollars and 50/xx (\$1,594,486.50); and authorizing the Parish President to sign, execute and administer associated documents. A **motion** was made by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-191 LOW BID - SEALEVEL CONSTRUCTION, INC. – RSTD#2, PROJECT 4C

A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to **deviate** to item #52, and **carried** by a vote of (9) yeas and (0) nays.

The next item (52) on the agenda was a resolution authorizing the Parish President to reduce the amount budgeted for Detention Center repairs within the Lafourche Parish 2007 Capital Budget by \$67,840 and approving a Transfer of Appropriation to increase the Agricultural Center Project within the Capital Projects Fund by \$67,840. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine. Mr. Lindel Toups questioned why the budget was being reduced for the Detention Center, to which Mr. Atzenhoffer replied that the work would not be done this year and that it would be re-budgeted for next year. The motion **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-192 DETENTION CENTER REPAIRS “REDUCTION” & A TRANSFER OF APPROPRIATION - AGRICULTURAL CENTER

A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to return to the regular agenda, and **carried** by a vote of (9) yeas and (0) nays.

The next item (45) on the agenda was a resolution accepting the low bid of M & H Builders, Inc. in the amount of three hundred ten thousand dollars and xx/100 (\$310,000) for Raceland Ag Building renovations and authorizing the Parish President to sign, execute and administer associated documents.

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A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine. Mr. Toups questioned why it was being proposed by Mr. Atzenhoffer because it was in his District and that he had been working on this matter. A brief explanation ensued, with Brennan Matherne stating that it was honestly his fault because he hadn't realized whose District it was specifically in and that he had been talking to Mark. The motion *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-193 LOW BID - M & H BUILDERS, INC. - RACELAND AG BUILDING

The next item (46) on the agenda was a resolution to purchase 20 acres of Bottomland Hardwood Mitigation Credits for the Choupic Levee in the amount of sixty eight thousand dollars (\$68,000) and authorizing the Parish President to sign, execute and administer associated documents. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Michael Matherne, and *carried* by a vote of (9) yeas and (0) nays.

**RES. NO. 07-194 PURCHASING 20 ACRES OF BOTTOMLAND HARDWOOD
MITIGATION CREDITS - CHOUPIC LEVEE**

The next item (47) on the agenda was a resolution authorizing the Parish President to reduce the amount budgeted for the Chackbay/Bayou Boeuf Tennis Courts within the Lafourche Parish 2007 Capital Budget by \$8,759.80 and approving a Transfer of Appropriation to increase the 6th Ward Walking Trail Project within the Capital Projects Fund by \$8,759.80. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Michael Matherne, and *carried* by a vote of (9) yeas and (0) nays.

**RES. NO. 07-195 CHACKBAY/BAYOU BOEUF TENNIS COURTS "REDUCTION" &
TRANSFER OF APPROPRIATION – 6TH WARD WALKING TRAIL**

The next item (48) on the agenda was a resolution approving a Cooperative Endeavor Agreement between the Lafourche Parish Council and the City of Thibodaux for the funding of the Parish Recreation Program in the city limits and authorizing the Parish President to sign, execute and administer said agreement(s). A **motion** was made by Mr. Michael Matherne, seconded by Mr. Tyrone Williams, and *carried* by a vote of (9) yeas and (0) nays.

**RES. NO. 07-196 COOPERATIVE ENDEAVOR AGREEMENT –
CITY OF THIBODAUX - RECREATION PROGRAM**

The next item (49) on the agenda was a resolution to enter into an Intergovernmental Agreement with the Lafourche Parish District Attorney's Office for the use of office space in the Ferd Block Building and authorizing the Parish President to sign, execute and administer associated documents. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and *carried* by a vote of (9) yeas and (0) nays.

**RES. NO. 07-197 INTERGOVERNMENTAL AGREEMENT - DA'S OFFICE –
OFFICE SPACE, FERD BLOCK BUILDING**

The next item (50) on the agenda was a resolution approving an Intergovernmental Agreement between Lafourche Parish Government and Ambulance Service District No. 1. for EMT Services at the Detention Center. A **motion** was made by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and *carried* by a vote of (9) yeas and (0) nays.

**RES. NO. 07-198 INTERGOVERNMENTAL AGREEMENT - AMBULANCE SERVICE
DISTRICT NO. 1. - EMT SERVICES, DETENTION CENTER**

The next item (51) on the agenda was a resolution to enter into an Intergovernmental Agreement with the Lafourche Parish District Attorney's Office for the installation of traffic calming devices and authorizing the Parish President to sign, execute and administer associated documents. A **motion** was made by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. An *amendment* was made by Mr. Callais, seconded by Mr. Lorraine, to change the wording to the "Sheriff's Office", and *carried* by a vote of (9) yeas and (0) nays. The amended resolution *carried* by a vote of (9) yeas and (0) nays.

**RES. NO. 07-199 INTERGOVERNMENTAL AGREEMENT – SHERIFF'S OFFICE -
INSTALLATION OF TRAFFIC CALMING DEVICES**

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The next item (52) on the agenda was a resolution authorizing the Parish President to reduce the amount budgeted for Detention Center repairs within the Lafourche Parish 2007 Capital Budget by \$67,840 and approving a Transfer of Appropriation to increase the Agricultural Center Project within the Capital Projects Fund by \$67,840. *This item was previously discussed by deviation.*

The next item (53) on the agenda was a resolution approving Change Order No. 3 for Huey Stockstill, Inc. to increase the contract price by \$78,006.22 for the Roadway Project: Road Sales Tax District 5, Project 5B, Chackbay-Choupic; and authorizing the Parish President to execute Change Order and associated documents. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-200 CHANGE ORDER # 3 - HUEY STOCKSTILL – RSTD#5, PROJECT 5B

The next item (54) on the agenda was a resolution approving Change Order No. 1 to Sealevel Construction, Inc. for an increase in contract price by eight thousand, one hundred seventy one dollars (\$8,171) and an increase of 21 days for the Ward 6 Senior Center Walking Trail for the integration of more parking spaces into the basketball court design; and authorizing the Parish President to sign said Change Order and related documents. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Michael Matherne, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-201 CHANGE ORDER #1, SEALEVEL CONSTRUCTION, INC – WARD 6 SENIOR CENTER WALKING TRAIL

The next item (55) on the agenda was a resolution approving Change Order No. 1 for Coastal Bridge Company, LLC to decrease the contract price by \$104,564.85 and increasing contract time by 48 days for the Roadway Improvements, Road Sales Tax District 6, Project 6A, Raceland; and authorizing the Parish President to execute said Change Order and associated documents. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-202 CHANGE ORDER #1, COASTAL BRIDGE COMPANY, LLC – RSTD#6, PROJECT 6A

The next item (56) on the agenda was a resolution approving Change Order No. 3 for Huey Stockstill, Inc. to decrease the contract price by \$37,859.83 for the Roadway Project: Road Sales Tax District 5, Project 5D, West Thibodaux; and authorizing the Parish President to execute said Change Order and associated documents. A **motion** was made by Mr. Tyrone Williams, seconded by Mr. Michael Matherne, and **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-203 CHANGE ORDER #3, HUEY STOCKSTILL – RSTD#5, PROJECT 5D

The next item (57) on the agenda was a resolution authorizing the Lafourche Parish Government to reject all bids for the project entitled “New Branch Library, Larose, Louisiana”; as recommended by the Lafourche Parish Library Board of Control. This item was **pulled**.

The next item (58) on the agenda was a resolution requesting the Administration to suspend the engineering and design work on the Lockport Library Branch construction, pending an attempt to negotiate the purchase of the current leased location of the Lockport Branch Library; and authorizing the Parish President to sign all necessary documents. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Lindel Toups questioned if they would be attempting to purchase the Lockport facility with “Rouse”, with replies being that of yes. Mr. Gouaux explained the reasoning behind it. Discussions ensued in regards to the negotiations. The motion **carried** by a vote of (9) yeas and (0) nays.

RES. NO. 07-204 SUSPENDING LOCKPORT LIBRARY BRANCH CONSTRUCTION

The next item (59) on the agenda was a resolution authorizing the Parish President to reduce the amount budgeted for the purchase of equipment within the Lafourche Parish 2007 Capital Budget by \$40,000 and approving a Transfer of Appropriation to increase the Choupic Levee Project within the Capital Projects Fund by \$40,000. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Michael Matherne, and **carried** by a vote of (9) yeas and (0) nays.

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RES. NO. 07-205 REDUCING 2007 CAPITAL BUDGET & APPROVING A TRANSFER OF APPROPRIATION - CHOUPIC LEVEE PROJECT

The next item (60) on the agenda was a resolution approving the Louisiana Compliance Questionnaire as part of the Legislative Auditor's requirement for completion of Audits and authorizing the Parish President and other required parties to sign said document. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and *carried* by a vote of (9) yeas and (0) nays.

RES. NO. 07-206 LOUISIANA COMPLIANCE QUESTIONNAIRE

Chairman Lasseigne asked if there was anyone else from the Public that would wish to address the Council. Hearing none he moved to the next item.

PRESENTATIONS

The next item (3) on the agenda was Mr. Kevin Belanger, South Central Planning and Development Commission, Permitting and Planning and Review Process. Mr. Belanger had dispersed handouts (*attached hereto as Exhibit "A"*) depicting utilization of the Regional Building Codes Council, explained same in detail, in regards to an overview of what had been transpiring in the last few months. He stated that Assumption, Golden Meadow, Gramercy, Lafourche, Lockport, Lutcher, St. James, St. John, and Terrebonne were participants; and that the report showed their percentage of participation, the amount of permits and monies that have been acquired. He further stated that the process had begun back in April and that there had been a third party provider helping to do inspections. Mr. Belanger said that as of June 1st that they were solely upon their own and that all participating municipalities have been working really well. He introduced Mr. Michael Wich as being the Certified Building Official who is running the building division of South Central Planning, who has a very good background, including a mechanical engineering degree, and has been a developer for several years in the area. Mr. Belanger continued by describing the amount of time it has been taking to review plans, saying that when plans are submitted that they are returning them to the Parishes within a day. He said that in regards to inspections that they would do so within 48 hours; if it is called in before one o'clock that it could be done that day and that if it was after one it would be scheduled for the next day. Mr. Belanger stated that they currently have four people within the organization that are working with the process, lives within Lafourche Parish, has been involved in training and has a success rate of over 80% passage on the ICC's certification process, with the National average being roughly under 40%. He continued to explain the processes and determinations in detail, stating that it will eliminate a large amount of cost to the homeowners.

ADMINISTRATIVE REPORT(S)

The next item (4) on the agenda was Mr. Cullen Curole, Parish Administrator, with a Road Project Presentation. Mr. Michael Delatte first requested that Mr. Curole give an update on the Choupic area. Mr. Curole began by saying that he appreciated that the Council had just approved two resolutions in regards to the Choupic Levee. He then said that they had hired a new consultant by the name of Scott Nesbit from Baton Rouge; and that they are fast tracking the Choupic Levee dealing with the "after the fact" permit handed down by the prior Administration. Mr. Curole stated that it would appear with the action taken at the present meeting, that a permit could actually be seen "in hand" for the southern portions of the Levee. He explained that there were Levees in the northern area of Choupic: Section A, north of Highway 304; and then south of Highway 304 was broken into two sections – east & west of Bayou Onion. Mr. Curole stated that it would appear that they were on the verge of getting the section to the east of Bayou Onion and probably the C section which is west of Bayou Onion. He explained that the Council had just approved the purchase of 20 mitigation credits that he thought would need in

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actuality about 26, but these were available at a cheap price and rushed to purchase them. Mr. Curole then said that Mr. Ray Cheramie was finalizing the other costs, being that of the gate structures and a proposed construction schedule which should be completed for the next meeting or two. Mr. Delatte said that it all sounded great because the people have been waiting for several years. Mr. Curole then stated that they were actually going to try to meet with a group of people on the southern side within the week or week and a half regarding land rights so that they will be absolutely ready to proceed.

Mr. Curole then gave a PowerPoint presentation in regards to Road Sales Tax District No. 2 and the 2005 Road Program for Districts 3, 5, and 6. (*See attached Exhibit "B"*) He began by saying that the Council had just approved Road Sales Tax District No. 2, Project 4C in the amount of \$1.594 million, saying that this almost completes the bulk of the South Lafourche projects, excluding a short list of additional streets that have been identified that may be brought back before the end of the year. He explained what the report showed, saying that the \$2.5 million balance could also be used for a probable bulk heading project at the intersection of Bayou Lafourche and the Intracoastal Canal. Mr. Curole then stated that he and Mrs. Randolph had met with the Mayor of Golden Meadow to gather information for next year's project proposals because the Town is now in Road Sales Tax District 2, and that the Mayor has already provided a substantial list of proposed street improvements.

Mr. Curole then reported on Road Sales Tax District No. 3, 5, and 6, saying that the election had passed and that it will soon be referred to as "Consolidated District A". He went over his report in detail, stating that there was a balance of \$7.1 million. Mr. Curole continued his presentation by describing the newly begun projects and with that it leaves a total of about \$3.7 million. He showed the proposed additional projects: the Lafourche Crossing - LA 1 area, Thibodaux Lefort By-Pass, Bayou Blue - Lake Long Drive & the Meadowlands. He then said that the Chackbay/Choctaw project may begin at the end of 2007, due to some decreases, but it is scheduled as a 2008 project.

Mr. Lindel Toups requested an update in regards to an expropriation to be done behind the St. Anne Hospital. Mr. Curole stated that he had spoken to Ms. D'Arcangelo's Attorney and that a meeting is being scheduled, that he had gotten with Mrs. Randolph to set a date for the upcoming week.

Mr. Toups then requested an update on the situation with the public portion of Eagle Island Road. Mr. Curole stated that it was his understanding that the District Attorney had said that work could not be done there because it was not legally accessible to the Parish, reiterating that there was a public section of the road which was very awkwardly situated beyond the private section. He said at that point and time that he did not have any legal answers from the District Attorney's Office on how this could be handled to do any maintenance. Mr. Curole expressed that he knew it was not a good situation, but that they had been given a "red light" on doing any improvements. Mr. Toups then requested that he receive something in writing stating such, as to which Mrs. Randolph replied that she would provide the Opinion to him.

Mr. Toups then asked about the ditch in Lockport which was discussed at the last meeting and if the Administration had spoken to Mr. Ray Cheramie. Mr. Cheramie stated that it was looked at and explained that the easiest and simplest thing was to bring in a small Bobcat. He said that he had spoken to companies that lease the equipment and was told that they could not do the project as planned. Mr. Cheramie said that he will speak to them again because he believed it could be done.

Mr. Toups also requested that Mr. Cheramie check into a building that was caving in concerning a Mr. Chiasson and then to address a culvert that was too high in regards to a Mr. Lecompte.

Mr. Mark Atzenhoffer reiterated that the Parish does not have any legal access to the public portion of Eagle Island Road, further explaining that there were not any servitude agreements with the land owners with the Parish to be utilized. He said that State Law provides that residents can not be land locked due to the purchase of land that was previously public, also saying that Parish equipment could not be placed across the property in question. A brief debate ensued.

The next item (5) on the agenda was Ms. Shannon Chiasson to present a Finance Report. Ms.

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Chiasson began by saying that she had handed out the Finance report, (*See attached Exhibit "C"*) but did not have the Royalty Revenue or Sales Tax reports due to a printer jam and that they will be posted to the Parish website. She presented the Finance report, giving a fund recap in hopes that it was helpful. Ms. Chiasson went on to say that the Royalty Revenue was "up" compared to last year, stating that it was more of the price of fuel and not that of production. She stated the year to date total for the Road Sales Tax Districts. Ms. Chiasson said that the Audit Exit Interview was held earlier that day, giving the Parish a qualified opinion, due to the fact that five entities did not submit their financial statements on time for them to be included in the Audit. She expressed that disqualifies the Parish to be eligible for any financial reporting awards that would have otherwise been qualified for. Ms. Chiasson stated that the Auditors also requested that they receive the engagement letter sooner to have more time to perform it. She said that the 2008 Budget was on schedule.

Ms. Chiasson then publicly announced her resignation as Finance Director, stating:

"In closing, I would like to say that it has been a privilege and my pleasure to serve as the Finance Director of Lafourche Parish for the past 3 ½ years. The experience has been tremendous and I appreciate the opportunity. I have been presented with an extraordinary opportunity to work in the field of my doctoral study. With the support of my family and thoughtful prayer, I have decided to embrace this new opportunity and challenge.

I am confident that I have set the operations of the Finance Department on the right path. This department and parish have made extraordinary strides in the past few years – from Windows 95 and dot matrix printers; yahoo and hot mail e-mail addresses to a state of the art network, official Lafourchegov.org e-mail addresses and financial software that will expand with the growth of the parish. With the Comprehensive Annual Financial Report (CAFR) and the movement towards performance based budgeting, the financial reporting is now one of transparency and accountability. As information is gathered and included in these documents they will serve as a resource to all entities in the parish. And now all citizens have access to these documents and other financial information such as Royalty and Sales tax revenues via the parish website. A financial link for the Councilmen has been established that includes monthly financials, sales tax and royalty revenues, debt schedules, and other financial information they need to make informed decisions. The finance department is moving more toward a paperless operation with the utilization of electronic workflow instead of hard copy and fax machines. The finance department is now staffed with an extraordinary group of educated and experienced women: Chastity Himel, Sonya Ockman, Jenica Collier, Cassie Daughtery, Connie Duet, Renita Jackson, Tara LeBlanc, Kathy Grabert, and Faye Morvant. These women are dedicated to ethical and accountable financial operations. It has been my privilege to have their support.

As I have stated in the Finance report tonight, the audit has been completed and we have a qualified opinion. The budget process is now organized and created according to a specific timeline. The budget process has evolved from a one person Excel spreadsheet that had to be entered into an outdated software system to one that is entered directly in the accounting software that tracks the changes at the various levels of approval and documents the justification behind every request and change. The legal authorization and calculation for the revenues have been researched and documented. The goal for this budget year is to include this information in the fund and department descriptions. As additional modules of the financial software are implemented the ability for more detailed financial accountability increases.

So yes, I am confident that I have set the financial operations of the parish on the right path. My hope as a citizen is that the parish council will continue to support the administration in the direction of financial accountability and transparency in reporting to the citizens of Lafourche Parish."

Mr. Callais questioned Ms. Chiasson, to which five entities had not submitted, causing the Audit to be a qualified opinion. President Randolph replied as to the Central Lafourche Ambulance Service District, 5th Ward Gravity Drainage District No. 5, Fire Protection District No. 8-B, Fire Protection District No. 8-C, Hospital Service District No. 2, St. Anne General Hospital, and Sewerage District No. 2. Mr. Callais then asked if any of them were received or not. Ms. Chiasson replied that some were received, but it wasn't until the 21st and that was after the compilation was done. Mr. Callais again asked for clarification, if all five have complied. Ms. Chiasson replied, "Not by the deadline!" Mr. Callais then asked for further clarification, "As of today, we have something on all five of these, in the office?" Ms. Chiasson stated that they had not received it upstairs; explaining that the Clerk gets a copy,

ITEM 1

sends it upstairs, and Finance signs a receipt for it. Mr. Callais stated that he will make a motion to remove the Boards who have not submitted proper documentation, if not received by the next meeting.

Mr. Atzenhoffer made brief comments about Ms. Chiasson's leaving, stating that she had done an admirable job, that he will miss her, and wishes her well.

President Randolph stated that she wanted to publicly acknowledge Ms. Chiasson's contributions to the Parish over the last 3 ½ years, that her addition and knowledge to the Staff has been tremendous, to thank her for her services, and to wish her well.

The next item (6) on the agenda was an update on payment of rent on Ferd H. Block Building. Mr. Atzenhoffer requested an update regarding the Sheriff. Mr. Cullen Curole replied that the agreement with the District Attorney is being "cut and pasted" to fit the Sheriff's Office and it will then be submitted for edit or signature. A detailed discussion and debate ensued in regards to the Sheriff and the Parish's obligations.

ENGINEERING AND ARCHITECT REPORT(S)

The next item (7) on the agenda was Mr. David Heck to give a status report regarding Lake Long Drive and Meadowland Subdivision. Mr. Heck began by saying that the projects are currently under design in Road Sales Tax District 3. He said that the Meadowland Subdivision (Project 3H) was designed and submitted to the previous Parish Council, about two years prior to this Council taking office, sitting "shelved" for quite sometime. Mr. Heck said that an agreement was made back in June/July of 2004 whereby the five projects that were complete would go forth to construction, which didn't happen, and was then ultimately assigned to him to go to construction on April 19th. He stated that it would now have to be investigated in its entirety because the project was designed some six years ago, to see the deterioration situations that may have happened in the last six years. Mr. Heck said that they were in the process of doing so, that the survey portion was complete, and that he was anticipating bids to be received in August. He then reported on the Lake Long Project, stating that it was completely new and was first made aware of it during mid March, with no advance notice. Mr. Heck explained that they were beginning the first phase of the project, that being the surveying portion. He said that it would take about another three days to complete the mile and a half surveying, then reviewing with his Staff, taking about a six month period of time, estimating a probability of receiving bids at the end of October. Mr. Heck then addressed an earlier discussion in regards to the widening of the road, explaining that the letter and authorization that he had received stated that it would be reconstructed/rebuild Lake Long Drive. He further explained the process of determinations, that he believed that there are areas that would have to be reconstructed and some overlaid, and that he did not foresee it as an easy project to widen. Mr. Heck reiterated that in all, that October would be a good "shooting" time. Mr. Atzenhoffer passionately expressed his feelings in regards to the timeframes given. A detailed and heated debate ensued to the processes that need to be followed.

The next item (8) on the agenda was updates from JBC/AIA regarding the Library Projects. *No one was present to give an update.*

Mr. Atzenhoffer asked Mr. Curole if anything further had been received regarding the Chackbay, Raceland, and Bayou Blue Projects, to which he replied to as "No". A brief discussion ensued in regards to suggesting more time or not.

Mr. Atzenhoffer then requested that Administration email him with a tentative timeline for the Larose project that was just accepted.

Chairman Lasseigne stated that he had received a call in regards to a Contractor that had not gotten paid concerning the Choctaw Library, and then questioned if the Parish had paid most of the money for the contract fees. Mr. Curole said that he didn't quite remember the percentages, that he thought it was a pretty good percentages of, and that invoices were stopped based on the estimated dollar amount for the delay "damages" (for lack of a better word). A brief discussion ensued in regards to the

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amount, with Mr. Curole stating that he was not aware that a Sub-contractor was not being paid and that should have gone through the substantial completion timeline, which is when “they” have to file claims against the Contractor. Mr. Michael Delatte said that he had questioned Ms. Arabie in regards to any obligations to the Sub-contractors, stating that the Parish does not, and that it was the Contractors’ responsibility to pay the Sub-contractors. A brief discussion continued.

Mr. Larry Picciola gave a brief report on Road Sales Tax Districts 3, 5, and 6 projects. (*See attached Exhibit “D”*) He stated that the Bayou Blue Project (3F) was about 95% complete and should be completed within the next two or three weeks. Mr. Picciola said that the contracts for Project 3G – concrete panels have been sent to the Contractor for execution, being expedited to begin work in a couple of weeks. He then stated that balancing Change Orders had just been approved for Project 5B, Choupic/Chackbay and also for Project 5D, West Thibodaux. Mr. Picciola reported that the Contractors are on site and began work for Project 5E, Lafourche Crossing – Highway 308, and that Project 5F, Lafourche Crossing to St. Charles – Highway 1 was scheduled to receive bids around the first week of August. He reiterated that Project 5H, Chackbay/Chocktaw was scheduled for next years’ construction budget, as discussed earlier in the meeting. Mr. Picciola said that the Administration was working on the right of ways for Project 5I, Lefort By-Pass. He then reported that a balancing Change Order had also been approved for Project 6A, Raceland. Chairman Lasseigne asked if there were any problems addressing the right of ways for Lefort By-Pass, with Mr. Curole replying that he did not know. Mr. Atzenhoffer asked if correct arrangements have been made to have the concrete panels which were to be broken up, to be brought some place for the Parish to use (that is not in Phillip’s District). President Randolph jokingly replied that it would all be going to Lindel’s, with Mr. Larry Picciola stating that arrangements have been made.

Mr. Edmond Cheramie first reported on the Whitney “Ferd Block” Building, stating that the Substantial Completion was issued to Thomassie Construction on May 29th and that the contract completion date was June 8th, finishing ahead of schedule. He stated that the Contractor had a couple of items left to complete the Punch List, which runs until about mid July and that would be his 45 days following Substantial Completion. Mr. Cheramie then reported that the renovations for the Ag Building had just been approved by awarding M&H Builders the contract, saying that a preconstruction conference will be scheduled as soon as the contract is signed, suspecting that a Notice to Proceed and then construction starting around mid July or so, and that completion should be done by late October with it being a 90 day construction period.

ADJOURNMENT

On **motion** by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer, and with no further business, the Lafourche Parish Council Meeting of June 26, 2007 *adjourned* at 7:17 p.m.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

ITEM 10

The following ordinance was introduced by Mr. Mark Atzenhoffer in regular session convened of June 12, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 108 AND 113 OF CHAPTER 5, SUB-CHAPTER B OF THE LAFOURCHE PARISH CODE OF ORDINANCE RELATIVE TO PERMIT FEES AND FEES FOR VIOLATION OF THE LAFOURCHE PARISH BUILDING CODE.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1.

SECTION 108 FEES

5:108.1 *.*

5:108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

A building permit shall not be issued, nor shall the application for a building permit be accepted, until the fees prescribed in this section shall have been paid. Nor shall an amendment to a permit application be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure shall have been paid. A certificate of occupancy shall not be issued, nor shall the certificate of occupancy application be accepted, until the fees prescribed in this section shall have been paid.

All building permits expire one (1) year from the date of issuance. A written extension may be applied for continuance of permit but in no instance shall extensions exceed one (1) additional year.

A. Permit Fees.

New Residential 8 cents per square foot
New Commercial 11 cents per square foot
New Institutional 11 cents per square foot

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Residential and Commercial Renovations - Interior or Exterior requiring only one discipline		
Minor under \$2,500	\$25.00	Includes 1 Inspection and then each additional inspection required will cost \$75.00
Minor \$2,501 to \$10,000	\$100.00	Includes 1 Inspection and then each additional inspection required will cost \$75.00
Major \$10,001 and above	\$200.00	Includes 1 Inspection and then each additional inspection required will cost \$75.00

landscaping to follow the same renovation fee schedule + trade permits if applicable
pools to follow the same renovation fee + trade permits if applicable

Trade Permits
(license holder is required to be present at inspection)
Plumbing Permit \$125.00 (Includes base fee of \$50.00 and \$75.00 inspection fee) Each additional inspection required will be \$75.00
Electrical Permit \$125.00 (Includes base fee of \$50.00 and \$75.00 inspection fee) Each additional inspection required will be \$75.00
Gas Permit \$125.00 (Includes base fee of \$50.00 and \$75.00 inspection fee) Each additional inspection required will be \$75.00
Mechanical Permit \$125.00

Mobile Homes
\$150.00
Change of Occupancy Permit \$100
Certificate of Compliance \$100
Sign Permits \$100
Fireworks Stands, Mardi Gras Viewing Stands and other miscellaneous Permits \$100

A permit fee of \$50.00 is applied for the construction of the following structures:
Fences and Driveways

The construction of a building, whether commercial, residential, carport, patio cover or other associated outbuilding is strictly prohibited on a public right of way. The construction of a fence, billboard, driveway or swimming pool is strictly prohibited on public right of ways unless it can be shown that they do not interfere with the purpose and maintenance of the right of way. This determination must be made via an application and decision of the permit office.

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B. PLAN REVIEW AND INSPECTION FEES (OPTIONAL)

In addition to Permit Fees, all permits will be required to have certified plan review and inspections provided through the parish or through hiring of third-party inspector(s). **Commercial Plan Reviews are done by the State Fire Marshall. If applicant desires to have this service provided through the Parish, the fees for each service will be as follows:**

PLAN REVIEW

NEW RESIDENTIAL	12 cents per square foot
NEW COMMERCIAL	15 cents per square foot
NEW INSTITUTIONAL	15 cents per square foot

SITE INSPECTIONS

NEW RESIDENTIAL	26 cents per square foot
NEW COMMERCIAL	34 cents per square foot <u>For the first 25,000 square feet and 20 cents per square foot on the remaining square footage</u>
NEW INSTITUTIONAL	34 cents per square foot

When an Accessory Structures (Non-Commercial - Garages, Carports, Sheds, etc) are permitted simultaneous with the permitting of the home. The above fees shall be discounted as follows: The fee breakdown will be as above for the home and the first 1000 square feet of the accessory structures. The discount shall apply to the square footage area above 1000 square feet in the non-commercial accessory structures. This discounted rate shall be 4 cents administrative, 5 cents for plan review and 11 cents for inspections.

NOTE: Parish provided inspection fees will include inspections for each trade stage requiring inspection per table in Section 5:109 - INSPECTIONS.

5:108.3 5:108.6 *.*

5:108.7 RE-INSPECTION FEES.

1. Each re-inspection shall be \$75.00. **The re-inspection fee shall only be charged when a specific inspector is required to make additional trips to the site. When possible, re-inspections should be coordinated with other inspections within the discipline.**

2. Failure to pass successfully the 3rd re-inspection shall prompt the Code Official to review the Contractor's license or certificate and/or the issued building permit. Said review may result in the suspension of the Contractor's license or certificate, revocation of the building permit and/or require the builder to hire a licensed contractor to complete the construction.

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SECTION 2.

SECTION 113 VIOLATIONS

5:113.1- 5:113.3

5:113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to ~~penalties as prescribed by law~~ **penalty of \$1000.00. The full assessment shall be assessed after notice of the violation has been made by the Permit Manager. In as the building code process is relatively new to Lafourche Parish residents, if a violator applies on his/her own without notice of the violation by the Lafourche Parish Government the fee shall be reduced to \$500.00. These penalties shall be in addition to the original required permit fees. But, the payment of such penalty fee(s) shall not relieve any person from fully complying with the requirements of this Code in the execution of the work.**

Residents may appeal penalties to voting members of the Lafourche Parish Council. A Councilman may bring the appeal before the council as an agenda item at a regularly scheduled meeting. The Lafourche Parish Council may waive any part or all of the above noted penalties by a majority vote. The Permit Manager shall be notified by the Council Clerk at least one week prior to a scheduled meeting to provide a copy of the record of that permit violation to the clerk for the meeting.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 6. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

SECTION 7. This Ordinance shall become effective on **July 1, 2007.**

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**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, at _____. m.

APPROVED: _____

UNAPPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, at _____. m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____, enacted by the Assembled Council in Regular Session on _____, 2007, at which meeting a quorum was present, and was finally adopted on _____, 2007.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: _____

DATE EFFECTIVE: July 1, 2007

ITEM 11

On motion by Mr. Mark Atzenhoffer, the following Ordinance was introduced at a regular meeting convened on June 12, 2007:

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published by title and a public hearing held thereon on July 10, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO.

AN ORDINANCE APPROVING THE HOLDING OF AN ELECTION IN RECREATION DISTRICT NO. 11 OF THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, ON SATURDAY, OCTOBER 20, 2007, TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN.

WHEREAS, the Board of Commissioners of Lafourche Parish Recreation District No. 11, State of Louisiana (the "Governing Authority"), acting as the Governing Authority of Lafourche Parish Recreation District No. 11, State of Louisiana (the "District"), adopted a Resolution on April 2, 2007, calling a special election in the District on Saturday, October 20, 2007, to authorize the levy of a special tax therein; and

WHEREAS, the Governing Authority of the District has requested that this Parish Council, acting as the Governing Authority of the Parish of Lafourche, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to levy and collect the special tax provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to levy and collect the special tax provided for therein;

BE IT ORDAINED, by the Lafourche Parish Council, acting as the Governing Authority of the Parish of Lafourche, State of Louisiana, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Lafourche Parish Recreation District No. 11, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Saturday, October 20, 2007, at which election there will be submitted the following proposition, to-wit:

PROPOSITION (RENEWAL)

SUMMARY: 10 YEAR, 4.73 MILLS PROPERTY TAX RENEWAL FOR CONSTRUCTING, ACQUIRING, IMPROVING, MAINTAINING AND OPERATING RECREATIONAL FACILITIES IN AND FOR RECREATION DISTRICT NO. 11.

Shall Recreation District No. 11 of the Parish of Lafourche, State of Louisiana (the "District"), levy a four and seventy three- hundredths (4.73) mills tax on all the property subject to taxation in the District (an estimated \$67,000 reasonably expected at this time to be collected from the levy of the tax for an entire year) for a period of ten (10) years, beginning with the year 2008 and ending with the year 2017, for the purpose of constructing, acquiring, improving, maintaining and operating recreational facilities in and for the District?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to levy and collect the special tax provided for therein.

The final adoption of the foregoing Ordinance having been duly moved and seconded, the roll was called and the following vote was taken and recorded:

ITEM 11

YEAS:
NAYS:
ABSTAINING:
ABSENT:

This Ordinance having been adopted by a vote of a majority of the members of the Parish Council on this, the 10th day of July, 2007, shall be in full force and effect on the tenth day after publication of this ordinance in the official journal of the Parish Council.

**TOMMY LASSEIGNE, CHAIRMAN
LAFORCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFORCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, at _____ . m.

APPROVED:

UNAPPROVED:

VETOED:

Lafourche Parish President

Returned to the Council Clerk on

_____, at _____ . m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____, enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____, 2007.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK

ITEM 11

LAFOURCHE PARISH COUNCIL

DATE PUBLISHED:

DATE EFFECTIVE:

ITEM 11

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of the Lafourche Parish Council, State of Louisiana, hereby certify that the foregoing _____ () pages constitute a true and correct copy of an ordinance introduced by the Council on June 19, 2007, approving the holding of an election in Lafourche Parish Recreation District No. 11, State of Louisiana, on Saturday, October 20, 2007, to authorize the levy of a special tax therein.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Parish Council at Raceland, Louisiana, on this, the 19th day of June, 2007.

Council Clerk

(SEAL)

ITEM 12

The following ordinance was introduced by Mr. Philip Gouaux in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO.

AN ORDINANCE TO CHANGE THE NAME OF POLLING PRECINCTS 4-5, 10-8 AND 10-9 TO FURTHER ESTABLISH THE EFFECTIVE DATE OF SAME; AND TO PROVIDE FOR OTHER MATTERS THEREOF.

WHEREAS, on October 12, 2004, the Lafourche Parish Council adopted Resolution 04-158 stating that the Lafourche Parish Clerk of Court indicated that the names of some polling precincts have changed; and

WHEREAS, although the name changes did not change the location, it is in the best interest that the Secretary of State be notified of these name changes for future elections; and

WHEREAS, at this time, the names of Polling Precincts 4-5, 10-8 and 10-9 have changed; therefore,

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that:

SECTION 1. The name for Polling Precinct 4-5 shall be changed from the Lockport Junior High School to Lockport Middle School. Said polling precinct is located at 720 Main Street, Lockport, Louisiana 70374.

SECTION 2. The name for Polling Precinct 10-8 shall be changed from the Golden Meadow Junior High School to the Golden Meadow Elementary School. Said polling precinct is located at 630 South Bayou Drive, Golden Meadow, Louisiana 70357.

SECTION 3. The name for Polling Precinct 10-9 shall be changed from Golden Meadow Middle School to Golden Meadow Upper Elementary School. Said polling precinct is located at 124 North Third Street, Golden Meadow, Louisiana 70357.

SECTION 4. A copy of this ordinance shall be recorded in the records of the Lafourche Parish Clerk of Court's Office, and a copy shall be forwarded to the Louisiana Department of Elections; Louisiana Secretary of State; U. S. Department of Justice; Lafourche Parish Clerk of Court; and the Lafourche Parish Registrar of Voters.

SECTION 5. If any section, part, paragraph, sentence, or clause of this ordinance should be declared invalid or unenforceable, such invalidity or defect shall not affect the remaining sections, paragraphs, parts, sentences, or clauses hereof and, to this end, the several provisions hereof are hereby declared severable.

SECTION 6. All Ordinances or parts thereof in conflict herewith are hereby repealed.

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SECTION 7. This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

SECTION 8. This ordinance shall be in full force and effect on the tenth day after final publication in the Official Journal of the Parish of Lafourche, upon approval by the Louisiana Department of Elections and pre-clearance by the U. S. Department of Justice.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

Delivered to the Parish President on

_____, 2007 at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

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GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY
OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 13

The following ordinance was introduced by Mr. Michael Matherne in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE LEVY WITHIN CONSOLIDATED SALES TAX DISTRICT A OF THE PARISH OF LAFOURCHE, STATE OF LOUISIANA , OF A ONE PERCENT (1%) SALES AND USE TAX (THE "TAX") UPON THE SALE AT RETAIL, THE USE, THE LEASE OR RENTAL, THE CONSUMPTION, AND THE STORAGE FOR USE OR CONSUMPTION, OF TANGIBLE PERSONAL PROPERTY AND UPON THE SALE OF SERVICES IN SAID DISTRICT AND FOR THE ASSESSMENT, COLLECTION, PAYMENT THEREOF AND THE DEDICATION OF THE PROCEEDS OF SAID TAX AND THE PURPOSE FOR WHICH THE PROCEEDS OF THE TAX MAY BE EXPENDED, SAID TAX HAVING BEEN AUTHORIZED AT A SPECIAL ELECTION HELD IN THE DISTRICT ON MARCH 31, 2007.

WHEREAS, under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority and an election held on March 31, 2007, Consolidated Sales Tax District A of the Parish of Lafourche, State of Louisiana (the "District"), acting through the Lafourche Parish Council, State of Louisiana (the "Governing Authority"), as its governing authority, is authorized to levy and collect within the District, a one percent (1%) sales and use tax (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services defined in applicable statutory authority, pursuant to the following proposition which was approved at said election held on March 31, 2007:

CONSOLIDATED SALES TAX DISTRICT A PROPOSITION

SUMMARY: 1%, 20 YEAR SALES AND USE TAX FOR CONSTRUCTING, IMPROVING AND MAINTAINING PUBLIC ROADS, BRIDGES AND DRAINAGE WORKS IN CONSOLIDATED SALES TAX DISTRICT A, INCLUDING PAYMENT OF DEBT SERVICE ON DEBT OBLIGATIONS OF UNDERLYING ROAD SALES TAX DISTRICTS, WITH THE PROCEEDS OF THE TAX TO BE SUBJECT TO FUNDING INTO BONDS.

Shall Consolidated Sales Tax District A of the Parish of Lafourche, State of Louisiana (the "District"), be authorized to levy and collect a tax of one percent (1%) (the "Tax") for a period of twenty (20) years from the date of the first levy of the Tax, upon the sale at retail, the use, the lease or rental, the consumption, and the distribution and storage for use or consumption, of tangible personal property and on sales of services within the District, all as defined by law, with the proceeds of the Tax to be dedicated and used for the purposes of constructing, improving and maintaining public roads, bridges and drainage works in the District, including payment of principal and interest on the outstanding debt obligations of underlying Road Sales Tax District No. 3, Road Sales Tax District No. 5 and Road Sales Tax District No. 6 of the Parish of Lafourche, State of Louisiana (collectively, the "Underlying Districts") (an estimated \$2,920,000 reasonably

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expected at this time to be collected from the levy of the Tax for an entire year); and further, shall the District be authorized to fund the proceeds of the Tax into bonds to be issued in series from time to time for any of the aforesaid capital purposes as permitted by the laws of Louisiana; provided, that the 1% sales and use taxes presently being levied by each of the Underlying Districts will cease to be levied from the date of the levy of the Tax and further provided that should the proceeds of the Tax be insufficient at any time to pay principal and interest on all of the debt obligations of the Underlying Districts, the proceeds of the Tax will be apportioned to service the debt of the Underlying Districts based on the amount of the Tax avails generated within the boundaries of the respective Underlying Districts?

WHEREAS, as provided in the above proposition the levy of the 1% sales and use taxes of Road Sales Tax District No. 3, Road Sales Tax District No. 5 and Road Sales Tax District No. 6 of the Parish of Lafourche, State of Louisiana (collectively, the Underlying Sales Taxes”) are to cease upon the levy of the Tax; and

WHEREAS, in compliance with the aforesaid constitutional and statutory authority and said special election of March 31, 2007, it is the desire of this Governing Authority to provide for the levy and collection of the Tax and to provide for distribution of the proceeds thereof and other matters in connection therewith as hereinafter provided in this ordinance, including the cessation of the levy and collection of the Underlying Sales Taxes; therefore,

BE IT ORDAINED, by Lafourche Parish Council, State of Louisiana, acting as the governing authority of Consolidated Sales Tax District A of the Parish of Lafourche, State of Louisiana, convened in Regular Session on July 10, 2007, that:

SECTION 1. Imposition. Pursuant to the authority of a special election held in the District on March 31, 2007, the Tax is hereby levied upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property, and upon the lease or rental of tangible personal property and on the sales of services in the District, as defined by law. The Uniform Local Sales Tax Code, as enacted by Act 73 of the 2003 Regular Session of the Louisiana Legislature and as it may be amended, shall apply in the assessment, collection, administration and enforcement of the Tax, the provisions of which are hereby incorporated by reference.

SECTION 2. Rate of Tax. The Tax is levied at the rate of one percent (1%) of the sales price of each item or article of tangible personal property when sold at retail in the District, the Tax to be computed on gross sales for the purpose of remitting the amount of tax due to the District, and to include each and every retail sale. The Tax is levied at the rate of one percent (1%) of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in the District, provided there shall be no duplication of the Tax. The Tax is levied at the rate of one percent (1%) of the gross proceeds derived from the lease or rental of tangible personal property, as defined by law, where the lease or rental of such property is an established business, or part of an established business, or the same is incidental or germane to the said business, or of the monthly lease or rental price paid by lessee or rentee, or contracted or agreed to be paid by lessee or rentee to the owner of the tangible personal property. The Tax is levied at the rate of one percent (1%) of the amount paid or charged for taxable services, as defined by law, performed in the District.

SECTION 3. Effective Date. The Tax shall be effective on October 1, 2007.

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SECTION 4. Term. The Tax shall remain in effect for twenty (20) years (October 1, 2007 through September 30, 2027).

SECTION 5. Purposes. The proceeds of the Tax shall be used for the purposes set forth in the proposition approved by the voters in the special election held in the District on March 31, 2007, authorizing the Tax, which proposition is set forth in the preamble hereto.

SECTION 6. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the Tax levied by this ordinance, each dealer shall be allowed one and one-tenth percent (1.1%) of the amount of Tax due and accounted for and remitted to the District's collector in the form of a deduction in submitting its report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 7. Exclusions and Exemptions. The Governing Authority adopts none of the optional exclusions or exemptions allowed by State sales and use tax law, nor does this Governing Authority adopt any exclusions or exemptions authorized by legislation enacted under Article VI, Section 29 (D)(1) of the Constitution of the State of Louisiana of 1974, that are not allowed as an exclusion or exemption from State sales and use tax. Included within the base of the Tax is every transaction, whether sales, use, lease or rental, consumption, storage or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana, including the Act.

SECTION 8. Interest on Unpaid Amount of Tax Due. As authorized by La. R.S. 47:337.69, the interest on unpaid amounts of the Tax which are due shall be at the rate of one and one-fourth percent (1- $\frac{1}{4}$ %) per month.

SECTION 9. Delinquency Penalty. The delinquency penalty, as provided by La. R.S. 47:337.70, shall be five percent (5%) per month on the unpaid amount of the Tax due for each thirty-day period, not to exceed five thirty-day periods.

SECTION 10. Penalty for False, Fraudulent or Grossly Incorrect Return. The penalty as authorized by La. R.S. 47:337.72 shall be fifty percent (50%) of the amount of the Tax found to be due.

SECTION 11. Negligence Penalty. The penalty as authorized by La. R.S. 47:337.73 shall be five percent (5%) of the unpaid amount of the Tax found to be due, or ten dollars (\$10.00), whichever is greater.

SECTION 12. Penalty for Insufficient Funds Check. The penalty as authorized by La. R.S. 47:337.74 shall be an amount equal to the greater of one percent (1%) of the check or twenty dollars (\$20.00).

SECTION 13. Attorney Fees. The collector is authorized to employ private counsel to assist in the collection of any taxes, penalties or interest due under this ordinance, or to represent him in any proceeding under this ordinance. If any taxes, penalties or interest due under this ordinance are referred to an attorney at law for collection, an additional charge of attorney fees, in the amount of ten per centum (10%) of the taxes, penalties and interest due, shall be paid by the tax debtor.

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SECTION 14. Penalty for Costs Incurred. As provided by R.S. 47:337.75, and under the circumstances set forth therein, a penalty shall be added to the amount of Tax due in an amount as itemized by the Collector to compensate for all costs incurred in making an examination of books, records or documents, or an audit thereof, or in the holding of hearings or the subpoenaing and compensating of witnesses.

SECTION 15. Distrainment Penalty. The penalty as provided by R.S. 47:337.76 in cases where the distraint procedure is used in the collection of the Tax shall be ten dollars (\$10.00).

SECTION 16. Limits on Interest, Penalty and Attorney Fees. Should the interest, penalties or attorney fees herein, or the combined interest, penalties and attorney fees be declared to be in excess of limits provided by other law, including relevant jurisprudence, then the maximum interest, penalties and attorney fees allowed by such other law shall apply.

SECTION 17. Collector. The Tax levied by this ordinance is authorized to be collected by a "Collector" which term shall mean the Lafourche Parish School Board, State of Louisiana.

SECTION 18. Powers of Collector. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

SECTION 19. Agreement to Collect Tax on Vehicles. With regard to the collection of the Tax on any motor vehicle, automobile, truck, truck-trailer, trailer, semi-trailer, motor bus, home trailer, or any other vehicle subject to the vehicle registration license tax, this Governing Authority, acting through the Parish President and on behalf of the District, is authorized to enter into an agreement or agreements with the Vehicle Commissioner, Department of Public Safety and Corrections, for the collection of the Tax on such vehicles, as provided by R.S.47:303(B).

SECTION 20. Revenues of Tax. All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the Tax shall be promptly deposited by the Collector for the account of the District in the special fund heretofore established and maintained for the deposit of such proceeds, which fund shall be a separate bank account established and maintained with the regularly designated fiscal agent of the District; provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation. In compliance with the said special election of March 31, 2007, authorizing the Tax, after all reasonable and necessary costs and expenses of collecting and administration of the Tax have been paid as provided for above, the remaining balance in said special fund shall be available for appropriation and expenditures by the Governing Authority solely for the purposes designated in the proposition authorizing the levy of the Tax, including the payment of all obligations of the Underlying Districts under intergovernmental agreements entered into between the Underlying Districts and/or the Parish of Lafourche, including specifically those dated November 1, 2001, December 1, 2001 and March 22, 2005, respectively.

SECTION 21. Severability. If any or more of the provisions of this ordinance shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision

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enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 22. Uniform Sales Tax Controlling. If any provision of this ordinance shall be in conflict with the provisions of the Uniform Local Sales Tax Code, the provisions of the Uniform Local Sales Tax Code shall be controlling.

SECTION 23. 1% Taxes of Underlying Districts. The one percent (1%) sales and use taxes presently being levied by underlying Road Sales Tax District No. 3, Road Sales Tax District No. 5 and Road Sales Tax District No. 6 of the Parish of Lafourche, State of Louisiana, will continue to be levied through September 30, 2007, and, thereafter, as of October 1, 2007, the Underlying Sales Taxes will cease to be levied.

SECTION 24. Publication and Recordation. This ordinance shall be published in one issue of the official journal of this Governing Authority as soon as is reasonably possible. A certified copy of this ordinance shall be recorded in the mortgage records of the Parish of Lafourche, State of Louisiana.

SECTION 25. This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

SECTION 26. This ordinance shall be in full force and effect on the tenth day after final publication in the Official Journal of the Parish of Lafourche, upon approval by the Louisiana Department of Elections and pre-clearance by the U. S. Department of Justice.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

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Delivered to the Parish President on

_____, 2007 at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 14

The following ordinance was introduced by Mr. Brent Callais in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE LEVY WITHIN ROAD SALES TAX DISTRICT NO. 2 OF THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, OF A ONE-HALF OF ONE PERCENT (½%) SALES AND USE TAX (THE "TAX") UPON THE SALE AT RETAIL, THE USE, THE LEASE OR RENTAL, THE CONSUMPTION, AND THE STORAGE FOR USE OR CONSUMPTION, OF TANGIBLE PERSONAL PROPERTY AND UPON THE SALE OF SERVICES IN SAID DISTRICT AND FOR THE ASSESSMENT, COLLECTION, PAYMENT THEREOF AND THE DEDICATION OF THE PROCEEDS OF SAID TAX AND THE PURPOSE FOR WHICH THE PROCEEDS OF THE TAX MAY BE EXPENDED, SAID TAX HAVING BEEN AUTHORIZED AT A SPECIAL ELECTION HELD IN THE DISTRICT ON MARCH 31, 2007.

WHEREAS, under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority and an election held on March 31, 2007, Road Sales Tax District No. 2 of the Parish of Lafourche, State of Louisiana (the "District"), acting through the Lafourche Parish Council, State of Louisiana (the "Governing Authority"), as its governing authority, is authorized to levy and collect within the District, a one-half of one percent (½%) sales and use tax (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services defined in applicable statutory authority, pursuant to the following proposition which was approved at said election held on March 31, 2007:

ROAD SALES TAX DISTRICT NO. 2 PROPOSITION

(REDEDICATION & CONTINUATION AT REDUCED RATE)

SUMMARY: 1/2%, 20 YEAR SALES AND USE TAX REDEDICATION AND CONTINUATION AT A REDUCED RATE FOR CONSTRUCTING, IMPROVING AND MAINTAINING PUBLIC ROADS, BRIDGES, AND DRAINAGE WORKS IN ROAD SALES TAX DISTRICT NO. 2, WITH THE PROCEEDS OF THE TAX TO BE SUBJECT TO FUNDING INTO BONDS.

Shall Road Sales Tax District No. 2 of the Parish of Lafourche, State of Louisiana (the "District"), be authorized to levy and collect a tax of one-half of one percent (1/2%) (the "Tax") for a period of twenty (20) years from January 1, 2008, upon the sale at retail, the use, the lease or rental, the consumption, and the distribution and storage for use or consumption, of tangible personal property and on sales of services within the District, all as defined by law, with the proceeds of the Tax to be dedicated and used for the purposes of constructing, improving, and/or maintaining public roads, bridges and drainage works in the District (an estimated \$2,471,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), said Tax to be a continuation at a reduced rate of the District's present one percent (1%) sales and use tax which is to

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be levied through December 31, 2007, pursuant to an elections held on November 15, 1997; and further, shall the District be authorized to fund the proceeds of the Tax into bonds to be issued in series from time to time for any of the aforesaid capital purposes as permitted by the laws of Louisiana?

WHEREAS, in compliance with the aforesaid constitutional and statutory authority and said special election of March 31, 2007, it is the desire of this Governing Authority to provide for the levy and collection of the Tax and to provide for distribution of the proceeds thereof and other matters in connection therewith as hereinafter provided in this ordinance;

BE IT ORDAINED, by Lafourche Parish Council, State of Louisiana, acting as the governing authority of Road Sales Tax District A of the Parish of Lafourche, State of Louisiana, convened in Regular Session on July 10, 2007, that:

SECTION 1. Imposition. Pursuant to the authority of a special election held in the District on March 31, 2007, the Tax is hereby levied upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property, and upon the lease or rental of tangible personal property and on the sales of services in the District, as defined by law. The Uniform Local Sales Tax Code, as enacted by Act 73 of the 2003 Regular Session of the Louisiana Legislature and as it may be amended, shall apply in the assessment, collection, administration and enforcement of the Tax, the provisions of which are hereby incorporated by reference.

SECTION 2. Rate of Tax. The Tax is levied at the rate of one-half of one percent ($\frac{1}{2}\%$) of the sales price of each item or article of tangible personal property when sold at retail in the District, the Tax to be computed on gross sales for the purpose of remitting the amount of tax due to the District, and to include each and every retail sale. The Tax is levied at the rate of one-half of one percent ($\frac{1}{2}\%$) of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in the District, provided there shall be no duplication of the Tax. The Tax is levied at the rate of one-half of one percent ($\frac{1}{2}\%$) of the gross proceeds derived from the lease or rental of tangible personal property, as defined by law, where the lease or rental of such property is an established business, or part of an established business, or the same is incidental or germane to the said business, or of the monthly lease or rental price paid by lessee or rentee, or contracted or agreed to be paid by lessee or rentee to the owner of the tangible personal property. The Tax is levied at the rate of one-half of one percent ($\frac{1}{2}\%$) of the amount paid or charged for taxable services, as defined by law, performed in the District.

SECTION 3. Effective Date. The Tax shall be effective on January 1, 2008.

SECTION 4. Term. The Tax shall remain in effect for twenty (20) years (January 1, 2008 through December 31, 2027).

SECTION 5. Purposes. The proceeds of the Tax shall be used for the purposes set forth in the proposition approved by the voters in the special election held in the District on March 31, 2007, authorizing the Tax, which proposition is set forth in the preamble hereto.

SECTION 6. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the Tax levied by this ordinance, each dealer shall be allowed one and one-tenth percent (1.1%) of the amount of Tax due and accounted for and remitted to the

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District's collector in the form of a deduction in submitting its report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 7. Exclusions and Exemptions. The Governing Authority adopts none of the optional exclusions or exemptions allowed by State sales and use tax law, nor does this Governing Authority adopt any exclusions or exemptions authorized by legislation enacted under Article VI, Section 29 (D)(1) of the Constitution of the State of Louisiana of 1974, that are not allowed as an exclusion or exemption from State sales and use tax. Included within the base of the Tax is every transaction, whether sales, use, lease or rental, consumption, storage or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana, including the Act.

SECTION 8. Interest on Unpaid Amount of Tax Due. As authorized by La. R.S. 47:337.69, the interest on unpaid amounts of the Tax which are due shall be at the rate of one and one-fourth percent (1- $\frac{1}{4}$ %) per month.

SECTION 9. Delinquency Penalty. The delinquency penalty, as provided by La. R.S. 47:337.70, shall be five percent (5%) per month on the unpaid amount of the Tax due for each thirty-day period, not to exceed five thirty-day periods.

SECTION 10. Penalty for False, Fraudulent or Grossly Incorrect Return. The penalty as authorized by La. R.S. 47:337.72 shall be fifty percent (50%) of the amount of the Tax found to be due.

SECTION 11. Negligence Penalty. The penalty as authorized by La. R.S. 47:337.73 shall be five percent (5%) of the unpaid amount of the Tax found to be due, or ten dollars (\$10.00), whichever is greater.

SECTION 12. Penalty for Insufficient Funds Check. The penalty as authorized by La. R.S. 47:337.74 shall be an amount equal to the greater of one percent (1%) of the check or twenty dollars (\$20.00).

SECTION 13. Attorney Fees. The collector is authorized to employ private counsel to assist in the collection of any taxes, penalties or interest due under this ordinance, or to represent him in any proceeding under this ordinance. If any taxes, penalties or interest due under this ordinance are referred to an attorney at law for collection, an additional charge of attorney fees, in the amount of ten per centum (10%) of the taxes, penalties and interest due, shall be paid by the tax debtor.

SECTION 14. Penalty for Costs Incurred. As provided by R.S. 47:337.75, and under the circumstances set forth therein, a penalty shall be added to the amount of Tax due in an amount as itemized by the Collector to compensate for all costs incurred in making an examination of books, records or documents, or an audit thereof, or in the holding of hearings or the subpoenaing and compensating of witnesses.

SECTION 15. Distrainment Penalty. The penalty as provided by R.S. 47:337.76 in cases where the distraint procedure is used in the collection of the Tax shall be ten dollars (\$10.00).

SECTION 16. Limits on Interest, Penalty and Attorney Fees. Should the interest,

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penalties or attorney fees herein, or the combined interest, penalties and attorney fees be declared to be in excess of limits provided by other law, including relevant jurisprudence, then the maximum interest, penalties and attorney fees allowed by such other law shall apply.

SECTION 17. Collector. The Tax levied by this ordinance is authorized to be collected by a "Collector" which term shall mean the Lafourche Parish School Board, State of Louisiana.

SECTION 18. Powers of Collector. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

SECTION 19. Agreement to Collect Tax on Vehicles. With regard to the collection of the Tax on any motor vehicle, automobile, truck, truck-trailer, trailer, semi-trailer, motor bus, home trailer, or any other vehicle subject to the vehicle registration license tax, this Governing Authority, acting through the Parish President and on behalf of the District, is authorized to enter into an agreement or agreements with the Vehicle Commissioner, Department of Public Safety and Corrections, for the collection of the Tax on such vehicles, as provided by R.S.47:303(B).

SECTION 20. Revenues of Tax. All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the Tax shall be promptly deposited by the Collector for the account of the District in the special fund heretofore established and maintained for the deposit of such proceeds, which fund shall be a separate bank account established and maintained with the regularly designated fiscal agent of the District; provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation. In compliance with the said special election of March 31, 2007, authorizing the Tax, after all reasonable and necessary costs and expenses of collecting and administration of the Tax have been paid as provided for above, the remaining balance in said special fund shall be available for appropriation and expenditures by the Governing Authority solely for the purposes designated in the proposition authorizing the levy of the Tax.

SECTION 21. Severability. If any or more of the provisions of this ordinance shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 22. Uniform Sales Tax Controlling. If any provision of this ordinance shall be in conflict with the provisions of the Uniform Local Sales Tax Code, the provisions of the Uniform Local Sales Tax Code shall be controlling.

SECTION 23. Publication and Recordation. This ordinance shall be published in one issue of the official journal of this Governing Authority as soon as is reasonably possible. A certified copy of this ordinance shall be recorded in the mortgage records of the Parish of Lafourche, State of Louisiana.

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SECTION 24. This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

SECTION 25. This ordinance shall be in full force and effect on the tenth day after final publication in the Official Journal of the Parish of Lafourche, upon approval by the Louisiana Department of Elections and pre-clearance by the U. S. Department of Justice.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

Delivered to the Parish President on

_____, 2007 at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

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I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 15

The following ordinance was submitted for introduction by Mr. Phillip Gouaux in regular session convened on June 26, 2007:

PROPOSED ORDINANCE

The following Ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____:

ORDINANCE NO.

ORDINANCE INCREASING THE FIFTEEN (15) MILES PER HOUR SPEED LIMIT TO TWENTY (20) MILES PER HOUR ON NORTH CAROL STREET, WARD (4), DISTRICT (6), PARISH OF LAFOURCHE, STATE OF LOUISIANA; PROVIDING FOR THE PLACEMENT OF SPEED LIMIT SIGNS; AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF.

BE IT ORDAINED, by the Lafourche Parish Council, convened in regular session on July 10, 2007, that:

SECTION 1. Ordinance increasing the fifteen (15) miles per hour speed limit to twenty (20) miles per hour on North Carol Street, Ward (4), District (6), Parish of Lafourche, State of Louisiana; providing for the placement of speed limit signs; and providing penalties for the violations thereof.

SECTION 2. The necessary "Speed Limit" signs shall be erected as deemed necessary on Lydia Street.

SECTION 3. The speed limit set forth in this Ordinance shall not apply to vehicles when operated with due regard for safety, under the directions of the Louisiana Department of Public Safety or other peace officer, in the chase or apprehension of violators of the law or of any person charged with or suspected of any such violation, nor to any fire department or fire patrol vehicles when traveling in emergencies. This exemption shall not, however, protect the driver, owner, or operator of any such vehicles from the consequences of reckless disregard of the safety of others.

SECTION 4. The Sheriff of this Parish is hereby specifically requested to assist in the enforcement of the provisions of this Ordinance.

SECTION 5. If any section, clause, paragraph, provision or portion of these regulations shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these regulations.

SECTION 6. Any person who violates the provisions of this Ordinance shall, upon conviction thereof, be punished by imprisonment in the parish jail for a period of not more than thirty (30) days, or by fine of not more than five hundred dollars (\$500.00) or by both such imprisonment and fine, at the discretion of the Court.

SECTION 7. All Ordinances or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 8. This Ordinance shall be published in the Office Journal of the Lafourche

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Parish Council in the manner provided by law.

SECTION 9. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

SECTION 10. This Ordinance shall become effective on the tenth day after final publication.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, at ____ p.m.

APPROVED:

VETOED:

Lafourche Parish President

Returned to the Council Clerk on

_____, at ____ p.m.

ITEM 15

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 10, 2007 at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED:

DATE EFFECTIVE:

ITEM 16

The following ordinance was introduced by Mr. Lindel Toups in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO.

ORDINANCE STATING THAT IT SHALL BE UNLAWFUL FOR ANY PERSON IN ANY PUBLIC PLACE OR IN VIEW OF THE PUBLIC, TO BE FOUND IN A STATE OF NUDITY, OR PARTIAL NUDITY, OR IN DRESS NOT BECOMING TO HIS OR HER SEX, OR IN ANY INDECENT EXPOSURE OF HIS OR HER PERSON OR UNDERGARMENTS, OR BE GUILTY OF ANY INDECENT OR LEWD BEHAVIOR.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that:

SECTION 1. Said ordinance does hereby state that any and all person or persons found in violation of any provision of the above said ordinance shall, upon conviction thereof, be fined not more than Fifty (\$50.00) Dollars for the First offense, One Hundred (\$100.00) Dollars for the Second offense, and One Hundred (\$100.00) Dollars and Sixteen (16) Hours of Community Service for the Third Offense.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 16

Delivered to the Parish President on

_____, at

APPROVED:

VETOED:

Lafourche Parish President

Returned to the Council Clerk on

_____, at

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of _____, enacted by the assembled Council in regular session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED:

DATE EFFECTIVE:

ITEM 17

The following ordinance was introduced by Mr. Brent Callais in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE AN ACT OF SALE BY THE LAFORCHE PARISH COUNCIL TO SELL PROPERTY AND IMPROVEMENTS THEREON LOCATED AT 17630 HIGHWAY 1, GALLIANO, PROVIDING CERTIFIED COPIES TO ALL PARTIES OF THE ACT OF SALE, AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE, AND ADMINISTER RELATED DOCUMENTS.

WHEREAS, the above described property was acquired by cash sale on November 11, 1999 under Ordinance 2797 approved by Lafourche Parish Council on September 14, 1999; and,

WHEREAS, on May 21, 2007 the Library Board of Control declared the former Cut Off Galliano Branch building and property as surplus and requested that the Lafourche Parish Council sell the aforementioned property on behalf of the Lafourche Parish Public Library; and,

WHEREAS, the aforementioned property has been appraised by Mr. William J. Pousson, Sr. of Tarpon Appraisal, as approved by the Council in Resolution 07-094 presented on April 10, 2007; and,

WHEREAS, this resolution was sponsored for administration by Mr. Brent Callais, Councilman, District 8; and

WHEREAS, it is the recommendation of the Administration of Lafourche Parish Government that this ordinance be approved;



NOW, THEREFORE BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that;

ITEM 17

SECTION 1. The Lafourche Parish Council will entertain written bid proposals by a certain date to purchase said property, reserving the right, however, to turn down any and all proposals. In accordance with LA R.S. 33:2868, bid proposals accepted and considered will be for no less than two thirds of the appraised Market Value.

SECTION 2. The Lafourche Parish Council does hereby authorize an Act of Sale on property and improvements thereon located at 17630 Highway 1 Galliano, providing certified copies to all parties of said sale, and authorizing the Parish President to sign all necessary documents related to said sale.

SECTION 3. If any section, clause, paragraph, provision or portion of these Regulations shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these regulations.

SECTION 4. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are here by repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 6. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 7. This Ordinance shall become effective on the tenth day after final publication.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

ITEM 17

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

Delivered to the Parish President on

_____, 2007 at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No._____, enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 17

LAFOURCHE PARISH GOVERNMENT NOTICE TO BIDDERS

The Lafourche Parish Government, 402 Green Street, Thibodaux, Louisiana, will receive sealed bids on July 26, 2007 until 10:00 A.M. At exactly 10:01, all bids will be publicly opened and read aloud for the furnishing of the item listed below by the Lafourche Parish Government. Subsequent to the opening, the bid will be evaluated by the appropriate party and will be presented to the Parish President for either awarding, rejecting, or holding for further advisement and/or evaluation.

Legal Description

1. A certain tract of land , situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche; at about 45 (forty-five) miles below the Town of Thibodaux, in the settlement of Galiano, Louisiana; said tract of land measuring ninety-six (96') feet in width by a depth of one hundred twenty-five (125') feet, and being bounded in front by Louisiana Paved Highway; in rear by other lands of vendor herein, above by Joseph Charpentier; and below by Lazard Gisclair, now or formerly. Vendor herein and hereby reserves a twenty- four (24') foot strip of land from the above described ninety-six (96') feet to be used as a street or lane, this strip being bordered on the upper or North side of the property, leaving the property being conveyed to a seventy-two (72') foot width, and one hundred twenty-five (125') feet in depth. Above property having been acquired by above vendor from her mother, Mrs. Victorie Gisclair in the year one thousand nine hundred twenty-six).
2. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about Forty-five (45) miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Lot # Two (2) of said subdivision and measures Sixty (60') feet front or in width along Legion Street by Legion Street; Bounded East or toward Louisiana Public Highway #1 by Lot #1 or said Subdivision; bounded West or toward the marsh by Lot #3 of said Subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said Lot situated at a distance of One Hundred Twenty-five (125') feet from Louisiana Public Highway #1.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anyway appertaining.

3. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Lot # Three (3) of said subdivision and measures Sixty (60') feet front or in width along Legion Street by a depth Seventy-Two (72') feet; said lot bounded front. North or above by Legion Street; bounded East or towards Louisiana Public Highway #1 by Lot #2 of said Subdivision; bounded West or toward the marsh by Lot #4 of said subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said lot situated at a distance of One Hundred eighty-five (185') feet from Louisiana Public Highway #1.

ITEM 17

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anyway appertaining.

4. A certain parcel or tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, located in the settlement of Galliano, Louisiana, and at a distance of 285 feet from the centerline of Louisiana Public Highway #1, said tract designated as Lot # 4 of Louisiana Olivier Subdivision; said lot measures Sixty (60') feet front or in width along Legion Street by a depth Seventy-Two (72') feet; being bounded front, North or above by Legion Street; bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; bounded West or toward the Marsh by Lot #5 of said subdivision; bounded East or toward Louisiana Public Highway #1 by Lot #3 of said subdivision.

Together with all rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anyway appertaining.

LESS AND EXCEPT:

1. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Western (15') feet of Lot Number Three(3) of said subdivision and measures fifteen (15') feet front or in width along Legion Street by a depth Seventy-Two (72') feet, More or less; said lot is bounded front North or above by Legion Street; bounded east or towards Louisiana Public Highway (!) by the remaining forty five (45') feet of Lot Number Three (3); bounded West or toward the marsh by Lot #4 of said subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said lot situated at a distance of approximately two hundred thirty (230') feet from Louisiana Public Highway #1.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anyway appertaining.

SAID TRACT OF LAND IS A PORTION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT:

1. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Lot Number Three (3) of said subdivision and measures Sixty (60') feet front or in width along Legion Street by a depth of Seventy-Two (72') feet, more or less; said lot bounded front, North or above by Legion Street; bounded East or towards Louisiana Public Highway One (1) by Lot Number Two (2) of said Subdivision; bounded West or toward the marsh by Lot Number Four (4) of said subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said Lot situated at a distance of One Hundred eighty five (185') feet from Louisiana Public Highway One (1).

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anyway appertaining.

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2. A certain parcel or tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, located in the settlement of Galliano, Louisiana, and at a distance of two hundred eighty five 285 feet from the centerline of Louisiana Public Highway One (1), said tract designated as Lot Number Four (4) of Louisiana Olivier Subdivision; said lot measures Sixty (60') feet front or in width along Legion Street by a depth Seventy-Two (72') feet; being bounded front, North or above by Legion Street; bounded South or below by property of Mrs. Jeanne Cheramie; bounded West or toward the Marsh by Lot Number Five (5) of said subdivision; bounded East or toward Louisiana Public Highway One (1) by Lot Number Three (3) of said subdivision.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anyway appertaining.

Specifications and proposal forms are on file at the Lafourche Government Complex, 402 Green Street, Thibodaux, Louisiana, and may be obtained by prospective bidders at no cost. Please contact Michael Hanley, Property & Risk Management, for clarifications or information with regard to the Bid documents and/or equipment inspection. An appointment is required to view the surplus property.

The HIGHEST qualified bid will be the one determined to offer the best advantage to the Parish of Lafourche. The Lafourche Parish Government reserves the right to reject any bid for just cause in the best interest of Lafourche Parish.

Successful bidder must register with the Lafourche Parish Assessor's Office for tax purposes.

Charlotte Randolph, Parish President
Lafourche Parish Government

PUBLICATION DATES: July 5, 2007, July 12, 2007 & July 19, 2007

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SURPLUS PROPERTY

BID PROPOSAL FORM

NAME: _____

ADDRESS: _____

PHONE NO: _____

ITEM DESCRIPTION

BID PRICE

Lot with building and improvements
17630 West Main, Galliano, Louisiana

Legal Description

1. A certain tract of land , situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche; at about 45 (forty-five) miles below the Town of Thibodaux, in the settlement of Galliano, Louisiana; said tract of land measuring ninety-six (96') feet in width by a depth of one hundred twenty-five (125') feet, and being bounded in front by Louisiana Paved Highway; in rear by other lands of vendor herein, above by Joseph Charpentier; and below by Lazard Gisclair, now or formerly. Vendor herein and hereby reserves a twenty- four (24') foot strip of land from the above described ninety-six (96') feet to be used as a street or lane, this strip being bordered on the upper or North side of the property, leaving the property being conveyed to a seventy-two (72') foot width, and one hundred twenty-five (125') feet in depth. Above property having been acquired by above vendor from her mother, Mrs. Victorie Gisclair in the year one thousand nine hundred twenty-six).
2. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about Forty-five (45) miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Lot Number Two (#2) of said subdivision and measures Sixty (60') feet front or in width along Legion Street by Legion Street; Bounded East or toward Louisiana Public Highway #1 by Lot #1 or said Subdivision; bounded West or toward the marsh by Lot #3 of said Subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair

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Cheramie; Said lot situated at a distance of one hundred twenty-five (125') feet from Louisiana Public Highway #1.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining.

3. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Lot Number Three (3) of said subdivision and measures Sixty (60') feet front or in width along Legion Street by a depth Seventy-Two (72') feet; said lot bounded front. North or above by Legion Street; bounded East or towards Louisiana Public Highway #1 by Lot #2 of said Subdivision; bounded West or toward the marsh by lot number four of said subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said lot situated at a distance of One Hundred eighty-five (185') feet from Louisiana Public Highway #1.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining.

4. A certain parcel or tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, located in the settlement of Galliano, Louisiana, and at a distance of 285 feet from the centerline of Louisiana Public Highway #1, said tract designated as Lot # 4 of Louisiana Olivier Subdivision; said lot measures Sixty (60') feet front or in width along Legion Street by a depth Seventy-Two (72') feet; being bounded front, North or above by Legion Street; bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; bounded West or toward the Marsh by Lot #5 of said subdivision; bounded East or toward Louisiana Public Highway #1 by Lot #3 of said subdivision.

Together with all rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining.

LESS AND EXCEPT:

1. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Western (15') feet of Lot Number Three(3) of said subdivision and measures fifteen (15') feet front or in width along Legion Street by a depth Seventy-Two (72') feet, More or less; said lot is bounded front North or above by Legion Street,; bounded east or towards Louisiana Public Highway (!) by the remaining forty five (45') feet of lot Number Three (3) ; bounded West or toward the marsh by lot number Four

ITEM 17

(4) of said subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said lot situated at a distance of approximately two hundred thirty (230') feet from Louisiana Public Highway #1.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining.

SAID TRACT OF LAND IS A PORTION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT:

1. A certain tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, Louisiana, in the Settlement of Galliano, Louisiana; said tract forming a part of the Louisiana Olivier Subdivision, which said tract is designated as Lot Number Three (3) of said subdivision and measures Sixty (60') feet front or in width along Legion Street by a depth of Seventy-Two (72') feet, more or less; said lot bounded front, North or above by Legion Street; bounded East or towards Louisiana Public Highway One (1) by Lot Number Two (2) of said Subdivision; bounded West or toward the marsh by Lot Number Four (4) of said subdivision; and bounded South or below by property of Mrs. Jeanne Gisclair Cheramie; Said lot situated at a distance of one hundred eighty five (185') feet from Louisiana Public Highway One (1).

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining.

2. A certain parcel or tract of land situated in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at a distance of about 45 miles below the City of Thibodaux, located in the settlement of Galliano, Louisiana, and at a distance of two hundred eighty five 285 feet from the centerline of Louisiana Public Highway One (1), said tract designated as Lot Number Four (4) of Louisiana Olivier Subdivision; said lot measures Sixty (60') feet front or in width along Legion Street by a depth Seventy-Two (72') feet; being bounded front, North or above by Legion Street; bounded South or below by property of Mrs. Jeanne Cheramie; bounded West or toward the Marsh by Lot Number Five (5) of said subdivision; bounded East or toward Louisiana Public Highway One (1) by Lot Number Three (3) of said subdivision.

Together with all building and improvements thereon and all the rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining.

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Lafourche Parish Public Library

303 West 5th Street, Thibodaux, LA 70301, PHONE 985-446-1163, Fax 985-446-3848

WWW.LAFOURCHE.ORG

May 21, 2007

Resolution 07-02:

On motion by John Brandon and unanimous second, the following resolution was introduced and adopted:

Be it resolved that the Lafourche Parish Public Library Board of Control convened in regular session on May 21, 2007, voted to declare the former Cut Off Galliano Branch building and property as surplus and requesting that the Lafourche Parish Council put this out for bid and sell it on behalf of the Lafourche Parish Public Library.

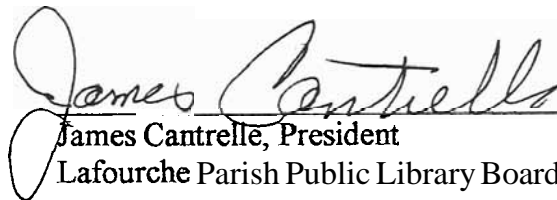
This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: James Cantrelle
Lynette Fossum
Sharleen Hotard
Judy Babin
Mary Gayle Bryant
John Brandon

NAYS: 0

ABSENT: Teresa Simoneaux

The resolution was declared adopted this 21st day of May, 2007.


James Cantrelle, President
Lafourche Parish Public Library Board of Control



BRANCHES: THIBODAUX, CHOCTAW, BAYOU BLUE, RACELAND, GHEENS, LOCKPORT, LAROSE, SOUTH LAFOURCHE, GOLDEN MEADOW, COMMUNITY OUTREACH

ITEM 18

The following ordinance was introduced by Mr. Phillip Gouaux in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO.

ORDINANCE AMENDING AND RE-ENACTING SECTION 24:900 (B) OF SUB-CHAPTER "R" OF CHAPTER 24 OF THE CODE OF THE ORDINANCES FOR THE LAFOURCHE PARISH COUNCIL BY ADDING A SENTENCE ALLOWING FOR THE REMOVAL OF MEMBERS OF THE LAFOURCHE PARISH GAME AND FISH MANAGEMENT COMMISSION BY A TWO THIRDS VOTE OF THE LAFOURCHE PARISH COUNCIL AND JUST CAUSE.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that:

SECTION 1. Section 24:900 (B) of Sub-Chapter "R" of Chapter 24 of the Lafourche Parish Code of Ordinances is hereby amended and re-enacted to read as follows:

CHAPTER 24 SPECIAL DISTRICTS AND COMMISSIONS

SUB-CHAPTER "R"

GAME AND FISH COMMISSIONS

SECTION 24:900. LAFOURCHE PARISH GAME AND FISH COMMISSION CREATED; MEMBERSHIP; POWERS AND DUTIES

- B. The said commission shall be governed by a Board of Commissioners composed of seven (7) citizens and taxpayers of Lafourche Parish, who shall serve without compensation or reimbursement of expenses. One (1) commission member shall be selected by the Town of Lockport and shall serve at the pleasure of the governing authority of the Town of Lockport. **The appointed members shall serve at the pleasure of the Council, however may be removed only for cause and with a two thirds vote of the Council.**

SECTION 2. If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items of this Ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

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SECTION 6. This Ordinance shall become effective on tenth day after final publication.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, at

APPROVED:

UNAPPROVED:

VETOED:

Lafourche Parish President

Returned to the Council Clerk on

_____, at

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of _____, enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS ___, DAY OF _____,

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED:

DATE EFFECTIVE:

ITEM 19

The following ordinance was introduced by Mr. Mark Atzenhoffer in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE APPROVING THE ATTACHED SERVITUDE AGREEMENT BETWEEN KIM JOHN JOACHIM, AND THE LAFOURCHE PARISH COUNCIL; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AGREEMENT.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that:

SECTION 1.

WHEREAS, proper street lighting is a fundamental necessity in ensuring the Health, Safety, and Welfare of the people of Lafourche; and

WHEREAS, access to private properties is sometimes necessary in the maintenance of Parish Street lighting; and

WHEREAS, the Department of Coastal, Energy, & Environmental is requesting right of way agreement in the name of area of Ward 2, Councilmatic District 4, Lafourche Parish.

WHEREAS, the Administration requests authority to sign these agreements in support of daily operations with private landowners;

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council does approve the attached servitude agreement with KIM JOHN JOACHIM and authorizes the Parish President to sign, execute and administer said agreement.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

ITEM 19

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2007, at _____, _____.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, _____.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 19

SERVITUDE AGREEMENT

THIS SERVITUDE AGREEMENT, made and executed this ____ day of _____ 2007, by and between, **Kim John Joachim**, domiciled in the Parish of Lafourche, State of Louisiana, whose present mailing address is 203 Brandywine Blvd, hereinafter called the ("Grantor's"), and the Parish of Lafourche, through its Parish Council hereinafter called the ("Grantee").

WITNESSED THAT for the good and valuable considerations of this donation, the Grantors, does hereby grant unto the Grantee, his successors and assigns, the right, liberty and authority to enter upon and to construct, operate and maintain a **4' servitude for the installation & maintenance of a underground wire for street lighting**, in, over and upon the following described land situated in the Parish of Lafourche, State of Louisiana, to-wit:

A certain tract or parcel of land located in the Parish of Lafourche, State of Louisiana, on the right descending bank of Bayou Lafourche, at about 0.11 miles more or less west of Louisiana State Hwy 1, measuring 588.6 feet, more or less, along Brandywine Blvd; by a distance south, of one hundred fifteen (115') feet more or less, and thirty-six (36") inches deep more or less. Being bounded above or east by property of Larry S. Champagne; bounded west, or below, by property of Johnny Paul Boudreaux; bounded to south, by June Maureaux Hay, and bounded to the north, by property of Bobby Paul Chiasson. All boundaries being now or formerly. Together with all buildings and or improvements thereon and all rights, ways, privileges, and servitude there unto belonging or in any wise appertaining, and any and all mineral rights appertaining thereto.

Said above mentioned servitude shall commence at the southern ROW of Brandywine Blvd and the northeast corner of 203 Brandywine Blvd. Thence in a southerly direction for a distance of one hundred fifteen (115') feet more or less and thirty-six (36") inches deep, more or less to an existing utility pole, located in Section 6 and Township 15 South and Range 16 East. All as shown on the attached drawings marked Exhibit "A".

It is further understood that this grant is not a conveyance of the full ownership of the property herein described and the parties herein specifically agree that the servitude may be used by the Parish, its agents, employees, and/or said facilities, and is untended as a passage for the general public.

Furthermore any improvements which are placed on the property by the Grantee, before such time that this agreement shall be null and void, shall remain the property of the Grantee, and be given a sixty (60) day period to remove any such improvements if so desired.

ITEM 19

Grantee to indemnify Grantor's against, and to release, protect, and hold Grantor's harmless from any claim or damages on account of bodily or personal injury, including death, to any person whomsoever, and any loss of or damage to any property whatsoever, arising out of the construction, maintenance, or operation of Grantee's facilities located on the premises herein described and granted; provided, however, that Grantee shall not be responsible for any claims or damages on account of bodily or personal injury, including death, to any person whomsoever, or for any loss of or damage to any property whatsoever, caused by the sole negligence of Grantor's, its agents, servants, employees, officers, invites, and/or licensees.

TO HAVE AND TO HOLD the aforesaid servitude unto the Grantee, his successors or assigns, so long as the Grantee, his successors or assigns, shall continue to use said servitude.

IN WITNESS WHEREOF, the GRANTOR'S has hereunto signed his/her name this ____ day of _____, 2007, together with _____ and _____, witnesses, in Lafourche Parish, Louisiana.

WITNESSES:

GRANTOR:

Kim John Joachim
Homeowner & Resident

Before me, Notary Public, came and appeared _____, who declared that he witnessed the signature of **Kim John Joachim (Homeowner & Resident)** to the foregoing servitude agreement and that they signed the agreement as their free and voluntary act, for the Parish of Lafourche.

Sworn to and subscribed before me on this _____ day of _____, 2007.

NOTARY PUBLIC

ITEM 19

IN WITNESS WHEREOF, the GRANTEE has hereunto signed her name this ____ day of _____, 2007 together with _____ and _____, witnesses, in Lafourche Parish, Louisiana.

WITNESSES:

GRANTEE: PARISH OF LAFOURCHE

BY: _____

Charlotte A. Randolph
Parish President

Before me, Notary Public, came and appeared _____, who declared that he witnessed the signature of **CHARLOTTE A. RANDOLPH, PARISH PRESIDENT**, to the foregoing servitude agreement and that the said Charlotte A. Randolph signed the agreement as her free and voluntary act, for the Parish of Lafourche.

Sworn to and subscribed before me on this _____ day of _____, 2007.

NOTARY PUBLIC

ITEM 20

The following ordinance was introduced by Mr. Brent Callais in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE APPROVING THE ATTACHED SERVITUDE AGREEMENT BETWEEN WILBERT VEDROS AND BETTY DUFRENE VEDROS AND THE LAFOURCHE PARISH COUNCIL; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AGREEMENT.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that:

SECTION 1.

WHEREAS, proper drainage is a fundamental necessity in ensuring the Health Safety and Welfare of the people of Lafourche; and

WHEREAS, access to private properties is often necessary in the maintenance of drainage channels; and

WHEREAS, the Department of Public Works is requesting right of way agreement in the Cut Off area of Ward 10, Councilmatic District 8, Lafourche Parish.

WHEREAS, the Administration requests authority to sign these agreements in support of daily operations with private landowners;

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council does approve the attached servitude agreement with Wilbert Vedros and Betty Dufrene Vedros and authorizes the Parish President to sign, execute and administer said agreement.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

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SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2007, at _____, _____.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, _____.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 20

SERVITUDE AGREEMENT

THIS SERVITUDE AGREEMENT, made and executed this _____ day of _____, 2007, by and between **WILBERT VEDROS and BETTY DUFRENE VEDROS** residing at 253 East 37th Street Cut Off, Louisiana 70345, hereinafter called the ("Grantor's") and the Parish of Lafourche, through its Parish Council (hereinafter called the "Grantee").

WITNESSETH THAT for the good and valuable considerations of this donation, the Grantor, does hereby grant unto the Grantee, his/her successors and assigns, the right, liberty and authority to enter upon and to operate and maintain a five (5') foot drainage and maintenance servitude, together with the right of ingress and egress to and from said servitude in over and upon the following described land situated in the Parish of Lafourche, State of Louisiana, to-wit:

A certain tract or parcel of land situated in the Parish of Lafourche, State of Louisiana on the left descending bank of Bayou Lafourche at about thirty-eight (38) miles below the city of Thibodaux, Louisiana. Said tract is identified as: tract belonging to Wilbert Vedros, Lot A16 and Lot B16 as shown on the revised survey map prepared by Larry J. Picciola dated December 28, 1995. Said map was recorded as Entry No. 791418 on January 11, 1996 in the records of Lafourche Parish, Louisiana.

Said above mentioned drainage and maintenance servitude shall commence at the northern right of way line of East 37th Street and Grantor's southwest property line, thence in a northerly direction for a distance of two hundred-ten (210') feet more or less to and existing drainage ditch. All as shown on a drawing entitled EXHIBIT A.

It is further understood that this grant is not a conveyance of the full ownership of the property herein described and the parties herein specifically agree that the servitude may only be used by the Parish, its agents, employees, and/or assigns, for the maintenance and operation of said facilities, and is not intended as a servitude of passage for the general public.

Grantee to indemnify Grantor against, and to release, protect, and hold Grantor harmless, from any claim or damages on account of bodily or personal injury, including death, to any person whomsoever, and any loss of or damage to any property whatsoever, arising out of the construction, maintenance, or operation of Grantee's facilities located on the premises herein described and granted; provided, however, that Grantee shall not be responsible for any claims or damages on account of bodily or personal injury, including death, to any person whomsoever, or for any loss of or damage to any property whatsoever, caused by the sole negligence of Grantor, its agents, servants, employees, officers, invites, and/or licensees.

ITEM 20

TO HAVE AND TO HOLD the aforesaid servitude unto the Grantee, their successors or assigns, so long as the Grantee, his successors or assigns, shall continue to use said servitude.

IN WITNESS WHEREOF, the GRANTOR'S have hereunto signed their names this _____ day of _____, 2007, together with _____ and _____, witnesses, in Lafourche Parish, Louisiana.

WITNESSES:

GRANTOR:

WILBERT VEDROS

BETTY DUFRENE VEDROS

Before me, Notary Public, came and appeared _____, who declared that he witnessed the signature of Wilbert Vedros and Betty Dufrene Vedros, to the foregoing servitude agreement and that they signed the agreement as their free and voluntary act, for the Parish of Lafourche.

Sworn to and subscribed before me on this _____ day of _____, 2007.

NOTARY PUBLIC

ITEM 20

IN WITNESS WHEREOF, the GRANTEE has hereunto signed her name this _____day of _____, 2007, together with _____and _____, witnesses, in Lafourche Parish, Louisiana.

WITNESSES:

GRANTEE: PARISH OF LAFOURCHE

Charlotte A. Randolph
(President)

Before me, Notary Public, came and appeared _____, who declared that he witnessed the signature of Charlotte Randolph, Parish President, to the foregoing servitude agreement and that the said Charlotte Randolph signed the agreement as her free and voluntary act, for the Parish of Lafourche.

Sworn to and subscribed before me on this _____day of _____, 2007.

NOTARY PUBLIC

ITEM 21

The following ordinance was introduced by Mr. Mark Atzenhoffer in regular session convened on June 26, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE TO PROVIDE FOR 2007 SUPPLEMENTAL APPROPRIATION FOR THE 2007 OPERATIONS AND MAINTENANCE BUDGET AND THE 2007 CAPITAL BUDGET FOR THE PAYMENT OF THE PAVILIONS AT THE BAYOU BLUE RECREATIONAL GROUNDS FOR THE RECREATION DEPARTMENT AS PROVIDED FOR BY ARTICLE VI OF THE LAFOURCHE PARISH HOME RULE CHARTER

WHEREAS, the Administration of Lafourche Parish Government recommends the adoption of this ordinance based on Resolution Number 07-046;

WHEREAS, Resolution 07-046 approved the additional funding of the Pavilions from Recreation District 11 (\$15,000);

THEREFORE BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on July 10, 2007, that:

SECTION 1. A supplemental appropriation of the 2007 Operations and Maintenance Budget is hereby approved as follows:

Part I – 2007 Operations and Maintenance Budget

FUND 110 RECREATION

To fund a portion of the pavilions at Bayou Blue Recreational Grounds not completely funded by the approved HUD Grant

1. to increase TRANSFER OUT - 299 in the amount of \$15,000
2. to decrease MISCELLANEOUS (DISTRICT EXPENDITURES) in the amount of \$15,000

Part II – 2007 Capital Outlay Budget

FUND 299 CAPITAL PROJECTS

To fund a portion of the pavilions at Bayou Blue Recreational Grounds not completely funded by the approved HUD Grant

1. to increase TRANSFER IN - 110 in the amount of \$15,000

ITEM 21

- 2. to increase CAPITAL OUTLAY – OTHER IMPROVEMENTS (HUD GRANT) in the amount of \$15,000

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:
 NAYS:
 ABSENT:
 NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

TOMMY LASSEIGNE, COUNCIL CHAIRMAN
 LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
 LAFOURCHE PARISH COUNCIL

Delivered to the Parish President on

_____, 2007, at _____, __. m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

ITEM 21

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on July 10, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 22

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO WHEN THE CIVIL SERVICE DIRECTOR POSITION IS VACANT, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Councilman Mark Atzenhoffer wishes to propose the change to the current Charter, as follows:

PAGE 15, ARTICLE IV CIVIL SERVICE DEPARTMENT, SECTION 4 ORGANIZATION, STRUCTURE AND DISTRIBUTION OF THE POWERS AND FUNCTIONS IN THE DEPARTMENT OF CIVIL SERVICE, B. THE BOARD, PARAGRAPH 5 GENERAL POWERS, FUNCTIONS AND DUTIES OF THE BOARD, ITEM (D) CURRENTLY STATES:

“(d) Shall appoint a Director when a vacancy occurs.”

The new verbiage is proposed to read as follows:

“(d) Shall appoint a **new** Director **within sixty (60) days after** when a vacancy occurs.”

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the "Parish"), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

ITEM 22

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of there regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

ITEM 22

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 22

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 24TH
DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 23

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO REQUIRING THE COUNCIL CLERK TO SIGN THE BUDGET ORDINANCE IN ADDITION TO THE COUNCIL CHAIR, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Council Clerk Sheila Boudreaux wishes to propose the change to the current Charter, as follows:

PAGE 28, ARTICLE VI FINANCE, SECTION 1 THE ANNUAL BUDGETS, E. COUNCIL ACTION ON THE SUBMITTED BUDGETS, PARAGRAPH 4 CURRENTLY STATES:

"4. Enactment of the Budgets by the Council

The Council shall have a mandatory duty to take action on each budget not later than thirty (30) calendar days prior to the commencement of the ensuing fiscal year. If the Council amends a budget, it shall have a mandatory duty to ensure that the amended budget is balanced. A budget shall be enacted by the Council when it is voted upon favorably by at least a majority (5) of the voting members of the Council. If the Council fails to timely enact a budget, it shall be finally adopted as submitted by the President. The Chair shall sign each enacted budget."

The new verbiage is proposed to read as follows:

"4. Enactment of the Budgets by the Council

The Council shall have a mandatory duty to take action on each budget not later than thirty (30) calendar days prior to the commencement of the ensuing fiscal year. If the Council amends

ITEM 23

a budget, it shall have a mandatory duty to ensure that the amended budget is balanced. A budget shall be enacted by the Council when it is voted upon favorably by at least a majority (5) of the voting members of the Council. If the Council fails to timely enact a budget, it shall be finally adopted as submitted by the President. The Chair **and Council Clerk** shall sign each enacted budget.”

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the “Parish”), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of there regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

ITEM 23

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 23

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 24TH
DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 24

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO CLASSIFIED LEGISLATIVE EMPLOYEES AND LEGISLATIVE CUSTODIAN OF RECORDS, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Councilman _____ wishes to propose the change to the current Charter, as follows:

PAGE 5, ARTICLE III ORGANIZATION, STRUCTURE AND DISTRIBUTION OF POWERS AND FUNCTIONS, SECTION 2 THE LEGISLATIVE BRANCH, J. LEGISLATIVE EMPLOYEES, PARAGRAPHS 1, 3, 4 AND 5 CURRENTLY STATE:

"1. Council Clerk

The Council shall appoint a Council Clerk by resolution. The Clerk shall give notice of Council meetings to its members and the public, keep the minutes of its proceedings, be official secretary of the Council, and perform such other duties as are assigned to the office by this Charter or by the Council.

...

3. Council Employees

The Council may hire such clerical employees by resolution as may be necessary to assist the Council Clerk and Internal Auditor in carrying out their duties.

4. Terms of Employment of Legislative Employees

ITEM 24

All legislative employees shall serve at the pleasure of the Council, unless they have been designated classified employees by ordinance.

5. Salaries of Legislative Employees

The Council shall fix the salaries of all unclassified legislative employees by ordinance, unless the salary or salaries has been previously fixed in the operating budget ordinance.”

The new verbiage is proposed to read as follows:

“1. Council Clerk

The Council shall appoint a Council Clerk by resolution. The Clerk shall give notice of Council meetings to its members and the public, keep the minutes of its proceedings, be official secretary of the Council, **Custodian of Record for the Legislative Branch**, and perform such other duties as are assigned to the office by this Charter or by the Council.

...

3. Council Employees

The Council may hire **or remove any** such **unclassified** clerical employees by resolution as may be necessary to assist the Council Clerk and Internal Auditor in carrying out their duties. **If the legislative clerical employees are determined by ordinance to be classified, the Council Clerk may hire or remove any such classified legislative clerical employees.**

4. Terms of Employment of Legislative Employees

All **unclassified** legislative employees shall serve at the pleasure of the Council, ~~unless they have been designated classified employees by ordinance.~~ **All classified legislative employees shall serve as per the guidelines of the civil service system.**

5. Salaries of Legislative Employees

The Council shall fix the salaries of all unclassified legislative employees by ordinance, unless the salary or salaries has been previously fixed in the operating budget ordinance. **All classified legislative employees salary shall be set by the Council Clerk as per guidelines of the civil service system.**”

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the “Parish”), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

ITEM 24

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of there regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

ITEM 24

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 24

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 24TH
DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 25

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO THE INTERFERENCE WITH OFFICERS AND EMPLOYEES OF THE EXECUTIVE BRANCH, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Councilman Tommy Lasseigne wishes to propose the change to the current Charter, as follows:

PAGE 5 AND 6, ARTICLE III ORGANIZATION, STRUCTURE AND DISTRIBUTION OF POWERS AND FUNCTIONS, SECTION 2 THE LEGISLATIVE BRANCH, K. PROHIBITIONS, PARAGRAPH 3 CURRENTLY STATES:

“3. Interference with Officers and Employees of the Executive Branch

Except for the purpose of investigations conducted pursuant to Article III, Section 2, Paragraph I, the voting members of the Council shall have a mandatory duty not to directly or indirectly interfere with, or give any orders or directives to, any officer, department head, employee, or independent contractor of the Parish who is under the direction or supervision of the executive branch. This provision is not intended to prohibit a voting member of the Council from discussing a problem, voicing a concern, or transmitting a complaint to the President, the Administrator, or a department head, or his/her designee, if the department head or his/her designee, has been authorized by the President or Administrator to discuss problems, hear concerns, or receive complaints.”

The new verbiage is proposed to read as follows:

ITEM 25

“3. Interference with Officers and Employees of the Executive Branch

Except for the purpose of investigations conducted pursuant to Article III, Section 2, Paragraph I, the voting members of the Council shall have a mandatory duty not to ~~directly or indirectly interfere with, or~~ give any orders or directives to, any officer, department head, employee, or independent contractor of the Parish who is under the direction or supervision of the executive branch. This provision is not intended to prohibit a voting member of the Council from discussing a problem, voicing a concern, **asking questions**, or transmitting a complaint to the President, the Administrator, ~~or a department heads, or any employee, contractor, board member, or any other provider of goods or services.~~ **or his/her designee, if the department head or his/her designee, has been authorized by the President or Administrator to discuss problems, hear concerns, or receive complaints.**”

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the “Parish”), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of there regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

ITEM 25

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 25

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 24TH
DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 26

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO TERM LIMITS, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Councilman Michael Matherne wishes to propose the change to the current Charter, as follows:

PAGE 3, ARTICLE III ORGANIZATION, STRUCTURE AND DISTRIBUTION OF POWERS AND FUNCTIONS, SECTION 2 THE LEGISLATIVE BRANCH, G. TERM OF OFFICE CURRENTLY STATES:

"G. TERM OF OFFICE

The President and each other Council member shall be elected for a term of four (4) years. The terms shall begin at 12:01 a.m. of January first in the year following the election."

The new verbiage is proposed to read as follows:

"G. TERM OF OFFICE

The President and each other Council member shall be elected for a term of four (4) years. The terms shall begin at 12:01 a.m. of January first in the year following the election. **No Parish President shall serve no more than two (2) consecutive terms. Council members shall serve no more than three (3) consecutive terms.**

ITEM 26

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the "Parish"), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of these regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

ITEM 26

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 26

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS
24TH DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 27

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO NECESSARY VOTES NEEDED TO REMOVE THE DEPARTMENT HEADS AND ADMINISTRATOR, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Councilman Daniel Lorraine wishes to propose the change to the current Charter, as follows:

PAGE 8, ARTICLE III ORGANIZATION, STRUCTURE AND DISTRIBUTION OF POWERS AND FUNCTIONS, SECTION 3 THE EXECUTIVE BRANCH, D. DEPARTMENTS, OFFICES AND POLITICAL SUBDIVISIONS OF THE PARISH, PARAGRAPH 6 CURRENTLY STATES:

"6. Removal of Department Heads and the Administrator

The Council may remove the Administrator or a department head by a resolution adopted by a favorable vote of at least seven (7) of its voting members."

The new verbiage is proposed to read as follows:

"6. Removal of Department Heads, and the Administrator

The Council may remove the Administrator, or a department head by a resolution adopted by a favorable **two-thirds (2/3) majority** vote of at least ~~seven (7)~~ **six (6)** of its voting members."

ITEM 27

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the "Parish"), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of there regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

ITEM 27

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 27

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 24TH
DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 28

The following Ordinance was submitted for introduction by _____ convened in regular session on July 10, 2007.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published in full and a public hearing held thereon on July 24, 2007, was offered for final adoption by _____, and seconded by _____:

ORDINANCE NO. _____

ORDINANCE SUBMITTING A PROPOSED AMENDMENT TO THE CURRENT LAFOURCHE PARISH HOME RULE CHARTER FOR THE PARISH OF LAFOURCHE, STATE OF LOUISIANA, AS IT PERTAINS TO NECESSARY VOTES NEEDED TO REMOVE THE COUNCIL CLERK, AND ENACTING CERTAIN OTHER PROVISIONS IN CONNECTION THEREWITH.

WHEREAS, the Lafourche Parish Home Rule Charter (the "Charter") was revised, approved by the voters of the Parish, and became effective in January, 2005; and

WHEREAS, after having abided by the new regulations of the revised Charter since 2005, additional changes are necessary in order to aid in the day-to-day operations of the Parish; and

WHEREAS, Councilman Daniel Lorraine wishes to propose the change to the current Charter, as follows:

PAGE 5, ARTICLE III ORGANIZATION, STRUCTURE AND DISTRIBUTION OF POWERS AND FUNCTIONS, SECTION 2 THE LEGISLATIVE BRANCH, J. LEGISLATIVE EMPLOYEES, PARAGRAPH 4 CURRENTLY STATES:

4. Terms of Employment of Legislative Employees

All legislative employees shall serve at the pleasure of the Council, unless they have been designated classified employees by ordinance."

The new verbiage is proposed to read as follows:

"4. Terms of Employment of Legislative Employees

All legislative employees shall serve at the pleasure of the Council, unless they have been designated classified employees by ordinance. **The Council may remove the Council Clerk or Internal Auditor by a resolution adopted by a two-thirds (2/3) majority vote of at least six (6) of its voting members.**"

ITEM 28

BE IT ORDAINED, by the Lafourche Parish Council, State of Louisiana, acting as the governing authority of the Parish of Lafourche, State of Louisiana (the "Parish"), convened in regular session on July 24, 2007, that:

SECTION 1. This Lafourche Parish Council hereby approves the proposed amendment to the Charter hereintofore set forth and authorizes said amendment to be presented to the voters of the Parish as an individual ballot item for the October 20, 2007 election in accordance with the terms of a resolution to be adopted by the Council setting the election, as required by the Charter.

SECTION 2. Foley & Judell, L.L.P., is hereby designated as special counsel to draft the resolution calling for the election to be held on October 20, 2007, in the Parish, to vote upon the adoption of the proposed amendment to the Charter.

SECTION 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or applications of this ordinance.

SECTION 4. All Ordinances or Resolutions by the Council conflicting with or inconsistent with the provisions of these regulations are hereby rescinded and repealed.

SECTION 5. This Ordinance shall be published in the Official Journal of the Council in the manner provided by the Charter.

SECTION 6. This Ordinance, having been submitted in writing, having been read and enacted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

SECTION 7. An affirmative vote of at least two-thirds (2/3) majority (6) of its voting members is required by the Charter in order to submit a proposed amendment to the voters of the Parish. The President shall have no power to veto this Ordinance.

ITEM 28

SECTION 8. This Ordinance shall be considered to be finally adopted upon receipt of the affirmative vote required in Section 7 of this Ordinance and when signed by the Chairman of the Council and the Council Clerk, and it shall become effective upon adoption.

CHAIRMAN

COUNCIL CLERK

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 28

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Clerk of Lafourche Parish Council, State of Louisiana, do hereby certify that the foregoing is a true and correct copy of an Ordinance No. _____ enacted by the Assembled Council in Regular Session on July 24, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 24TH DAY OF JULY, 2007.

Council Clerk

(SEAL)

ITEM 29

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE TO PROVIDE FOR 2007 SUPPLEMENTAL APPROPRIATION FOR THE 2007 OPERATIONS AND MAINTENANCE BUDGET AND THE 2007 CAPITAL BUDGET FOR LIBRARY RENOVATIONS AS PROVIDED FOR BY ARTICLE VI OF THE LAFOURCHE PARISH HOME RULE CHARTER

WHEREAS, the Administration of Lafourche Parish Government recommends the adoption of this ordinance to account for all expenditures and revenues related to this project;

THEREFORE BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1. A supplemental appropriation of the 2007 Operations and Maintenance Budget is hereby approved as follows:

Part I – 2007 Operations and Maintenance Budget

FUND 102 BUILDING MAINTENANCE

To establish a budget for revenues and expenditures relating to the renovations/construction of the Thibodaux Library

1. to increase OTHER REVENUE in the amount of \$4,200,000
2. to increase TRANSFER OUT – 299 in the amount of \$4,200,000

To establish the budget for revenues and expenditures relating to the renovations/construction of the Lockport Library

1. to increase OTHER REVENUE in the amount of \$1,830,000
2. to increase TRANSFER OUT – 299 in the amount of \$1,830,000

To establish the budget for revenues and expenditures relating to the renovations/construction of the Larose Library

1. to increase OTHER REVENUE in the amount of \$1,020,000
2. to increase TRANSFERS OUT - 299 in the amount of \$1,020,000

Part II – 2007 Capital Outlay Budget

FUND 299 CAPITAL PROJECTS

ITEM 29

To establish a budget for revenues and expenditures relating to the renovations/construction of the Thibodaux Library

1. to increase CAPITAL OUTLAY in the amount of \$4,200,000
2. to increase TRANSFER IN – 102 in the amount of \$4,200,000

To establish the budget for revenues and expenditures relating to the renovations/construction of the Lockport Library

1. to increase CAPITAL OUTLAY in the amount of \$1,830,000
2. to increase TRANSFER IN – 102 in the amount of \$1,830,000

To establish the budget for revenues and expenditures relating to the renovations/construction of the Larose Library

1. to increase CAPITAL OUTLAY in the amount of \$1,020,000
2. to increase TRANSFERS IN - 102 in the amount of \$1,020,000

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

TOMMY LASSEIGNE, COUNCIL CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

ITEM 29

Delivered to the Parish President on

_____, 2007, at _____, __. m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 30

The following ordinance was introduced by _____ in regular session convened on _____.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

ORDINANCE PROVIDING A VARIANCE FROM THE LAFOURCHE PARISH SUBDIVISION REGULATIONS ON THE DIVISION OF LOT 3-F OF SOILEAU SUBDIVISION (WARD 10, DISTRICT 9) **AS RECOMMENDED** BY THE LAFOURCHE PARISH PLANNING COMMISSION AT THEIR JUNE 28, 2007, MEETING

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1.

WHEREAS, The Lafourche Parish Planning Commission met on June 28, 2007 in regular session to review proposed subdivisions and redivisions; and

WHEREAS, representatives of the Division of Lot 3-F of Soileau Subdivision proposed development requested a variance of the Lafourche Parish Subdivision Regulation; this variance provides that:

Regulations Section 19:354 B providing a variance from not having to install a fire hydrant as required by the subdivision regulations and providing fire protection with a private pond which is located on the property.

Section 19:314 A. provides that the Planning Commission and Council can provide a variance in these regulation where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may recommend to the Lafourche Parish Council variances to these subdivision regulations so that the substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not recommend approval of variances unless it shall make finding based upon the evidence presented to it in each specific case; and

ITEM 30

WHEREAS, the Lafourche Parish Planning Commission **does recommend** that the variance is justified and would not violate the integrity of the subdivision regulation as a whole;

THEREFORE BE IT ORDAINED, that the Lafourche Parish Council does hereby provide a variance of Section 19:354 B providing a variance from not having to install a fire hydrant as required by the subdivision regulations and providing fire protection with a private pond which is located on the property.

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items or application of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

DR. TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

PUBLISHED:

Delivered to the Parish President on

_____, 2007 at _____, __. m.

ITEM 30

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 30

Lafourche Parish Government

P.O. Box 320 • Raceland, Louisiana 70394
Telephone (985) 537-7603 • Fax (985) 537-5173



Planning Department

INTEROFFICE MEMORANDUM

TO: Cullen Curole

CC: Ray Cheramie, Councilmembers

FROM: Pat Matherne

THROUGH: Planning Department

DATE: Tuesday, July 03, 2007

RE: Variance on the Division of Lot 3-F of Soileau Sudivision from not having to install a fire hydrant

The Lafourche Parish Planning Commission met on June 28, 2007 and at that meeting **recommended** the above referenced variance contingent upon Mr. Soileau meeting the requirements stated by the Lafourche Parish Fire Protection District #3 on the attached letter from Mr. Freddy F. Guidry, Fire Chief.

Also attached is a copy of the variance request by Mr. Soileau.

Thank you.

ITEM 30

LaFourche Parish Fire Protection District #3

P. O. Drawer 910

Galliano, LA 70354

Phone - (985)632-8068, Fax - (985)632-8076

July 28, 2007

Ms. Patricia Matherne
Lafourche Parish Planning
& Zoning Commission
P. O. Drawer 5548
Thibodaux, LA 70302

RE: Soileau Subdivision
Agent: Picciola & Associates, Inc.

Dear Patricia:

The above named property has been reviewed and fire protection will be available to the area if the following steps are made:

- A dedicated roadway, stable enough to handle the weight of a fire unit is provided;
- Bank of the pond, to be used for drafting, is stabilized to ensure it will not erode or collapse under the fire unit;
- Installation of dry hydrants that meet NFPA standards;
- Dry hydrants are located at recommended distances of 500 feet.

Any changes or additions to this property must be resubmitted for approval by this office.

If further assistance can be provided, please feel free to contact me at 632-8068.

Sincerely,



Freddy F. Guidry,
Fire Chief

To whom ever it may concern, **ITEM 30**

I Warren Seileau Jr. would appreciate it very sincerely if you were to take into consideration and let me operate with a private pond which is located just off the driveway with good accessibility's I have a total of $7\frac{1}{2}$ acres. The reason for subdividing is to minus $2\frac{1}{2}$ acres, which I would sell. The $2\frac{1}{2}$ acres it would sell would not cover my expenses if I were to install fire hydrants. It would make little sense to me, to sell $2\frac{1}{2}$ acres of property and spend more money on hydrants than the sale of the property. The Pond alone is 1 acre around and about 12 ft. deep. This very same pond was used to put out a nearby fire a couple years ago behind Argis.

Your approval would be greatly appreciated,

Warren Seileau Jr.

ITEM 31

The following amendment was introduced by _____ in regular session convened on _____.

The following ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORD NO. 4051 AS IT PERTAINS TO FIXING SALARIES OF UNCLASSIFIED EMPLOYEES.

WHEREAS, the Home Rule Charter states that the Parish President shall fix the salaries of unclassified employees subject to approval by ordinance; and

WHEREAS, amendments presented in this ordinance represents an increase to salaries based on the Head Start Bureau increasing program funds for a 2% Cost of Living adjustment in hourly rates.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on _____, that:

SECTION 1. The Maintenance and Operations Budget for the Lafourche Parish Council is hereby amended as follows:

As required by the Lafourche Parish Home Rule Charter, unclassified Legislative Branch employees salaries are set as follows:

No Change

As required by the Lafourche Parish Home Rule Charter, unclassified Executive Branch employees salaries are set as follows:

No Change

Head Start employees are also unclassified employees of the Executive Branch, their salaries are set as follows:

	Old Rate	New Rate	Hours Worked	Pay Periods	New Annual Salary
ADMIN. ASST/FAC.MGR/PLYCLMGR	17.35	<u>17.70</u>	70	26.10	<u>32,332.42</u>
DIRECTOR OF HEAD START	21.92	<u>22.36</u>	70	26.10	<u>40,848.80</u>
EDUCATION MANAGER	18.93	<u>19.31</u>	80	26.10	<u>40,316.36</u>
HEALTH MANAGER	20.89	<u>21.31</u>	70	26.10	<u>38,929.35</u>
INKIND MANAGER	17.98	<u>18.34</u>	70	26.10	<u>33,506.45</u>
NUTRITION MANAGER	18.22	<u>18.58</u>	70	26.10	<u>33,953.70</u>

ITEM 31

TRANSPORTATION/ENROLL MGR.	17.35	<u>17.70</u>	70	26.10	<u>32,332.42</u>
CENTER DIRECTOR	14.43	<u>14.72</u>	80	26.10	<u>30,732.44</u>
CENTER DIRECTOR	14.44	<u>14.73</u>	80	26.10	<u>30,753.73</u>
CENTER DIRECTOR	13.70	<u>13.97</u>	80	26.10	<u>29,177.71</u>
CENTER DIRECTOR	12.06	<u>12.30</u>	80	26.10	<u>25,684.91</u>
CENTER DIRECTOR	13.54	<u>13.81</u>	80	26.10	<u>28,836.95</u>
FAMILY INVOLVEMENT SPEC.	12.52	<u>12.77</u>	80	26.10	<u>26,664.60</u>
FAMILY INVOLVEMENT SPEC.	15.21	<u>15.51</u>	80	26.10	<u>32,393.65</u>
FAMILY INVOLVEMENT SPEC.	10.35	<u>10.56</u>	80	26.10	<u>22,043.02</u>
FAMILY INVOLVEMENT SPEC.	12.20	<u>12.44</u>	80	26.10	<u>25,983.07</u>
FAMILY INVOLVEMENT SPEC.	12.21	<u>12.45</u>	80	26.10	<u>26,004.37</u>
TEACHER 1	11.53	<u>11.76</u>	80	26.10	<u>24,556.13</u>
TEACHER 1	9.96	<u>10.16</u>	80	26.10	<u>21,212.41</u>
TEACHER 1	10.25	<u>10.46</u>	80	26.10	<u>21,830.04</u>
TEACHER 1	10.61	<u>10.82</u>	80	26.10	<u>22,596.75</u>
TEACHER 1	10.11	<u>10.31</u>	80	26.10	<u>21,531.87</u>
TEACHER 1	10.90	<u>11.12</u>	80	26.10	<u>23,214.38</u>
TEACHER 1	10.34	<u>10.55</u>	80	26.10	<u>22,021.72</u>
TEACHER 1	10.35	<u>10.56</u>	80	26.10	<u>22,043.02</u>
TEACHER 1 Vacant	10.40	<u>10.61</u>	80	26.10	<u>22,149.50</u>
TEACHER 1	12.74	<u>12.99</u>	80	26.10	<u>27,133.14</u>
TEACHER 1	9.96	<u>10.16</u>	80	26.10	<u>21,212.41</u>
TEACHER 1	10.40	<u>10.61</u>	80	26.10	<u>22,149.50</u>
TEACHER 1	9.96	<u>10.16</u>	80	26.10	<u>21,212.41</u>
TEACHER 1	11.53	<u>11.76</u>	80	26.10	<u>24,556.13</u>
TEACHER 1	10.76	<u>10.98</u>	80	26.10	<u>22,916.22</u>
TEACHER 1	10.47	<u>10.68</u>	80	26.10	<u>22,298.59</u>
TEACHER 1	10.34	<u>10.55</u>	80	26.10	<u>22,021.72</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.78	<u>9.08</u>	80	26.10	<u>18,750.24</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.74	<u>7.89</u>	80	26.10	<u>16,484.34</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.49	<u>7.64</u>	80	26.10	<u>15,951.90</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.49	<u>7.64</u>	80	26.10	<u>15,951.90</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
TEACHER 2 Vacant	7.00	<u>7.14</u>	80	26.10	<u>14,908.32</u>
HS SUBSTITUTE TEACHER	7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>
HS SUBSTITUTE TEACHER	7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>
HS SUBSTITUTE TEACHER	7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>
HS SUBSTITUTE TEACHER	7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>
HS SUBSTITUTE TEACHER	7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>

ITEM 31

HS SUBSTITUTE TEACHER	—7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>
HS SUBSTITUTE TEACHER	—7.00	<u>7.14</u>	39	22.00	<u>6,126.12</u>
HEAD START BUS DRIVER	—15.90	<u>16.22</u>	65	22.00	<u>23,191.74</u>
HEAD START BUS DRIVER	—12.49	<u>12.74</u>	65	22.00	<u>18,217.91</u>
HS SUBSTITUTE BUS DRIVER	—12.99	<u>13.25</u>	65	22.00	<u>18,947.21</u>
HEAD START BUS DRIVER	—15.90	<u>16.22</u>	65	22.00	<u>23,191.74</u>
BUS MONITOR	—7.09	<u>7.23</u>	65	22.00	<u>10,341.47</u>
BUS MONITOR Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
BUS MONITOR	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
BUS MONITOR	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
HS SUBSTITUTE BUS MONITOR	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
FOOD SERVICE TECHNICIAN Vacant	—7.00	<u>7.14</u>	65	22.00	<u>10,210.20</u>
HEALTH SPECIALIST	—16.00	<u>16.32</u>	70	26.10	<u>29,816.64</u>
LABORER I	—12.50	<u>12.75</u>	64	26.10	<u>21,297.60</u>
LICENSING SPECIALIST	—19.81	<u>20.21</u>	70	26.10	<u>36,916.73</u>
TRANSPORTATION ASST.	—10.99	<u>11.21</u>	70	26.10	<u>20,480.30</u>
EARLY CHILDHOOD COORD.	—20.32	<u>20.73</u>	65	22.00	<u>29,638.75</u>
MALE INVOLVEMENT SPEC. Vacant	—7.00	<u>7.14</u>	40	22.00	<u>6,283.20</u>
New Total					<u>1,610,664.38</u>

Community Action employees are also unclassified employees of the Executive Branch their salaries are set as follows:

No change

One employee in the Registrar of Voters is also an also unclassified employee of the Executive Branch their salary is set as follows:

No Change

SECTION 2. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

ITEM 31

SECTION 4. This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 5. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

SECTION 6. This Ordinance shall become effective retroactively January 1, 2007.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, 2007, at _____, __.m.

APPROVED: _____

VETOED: _____

Lafourche Parish President

Returned to the Council Clerk on

_____, 2007, at _____, __.m.

ITEM 31

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No.____, enacted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: _____

DATE EFFECTIVE: _____

ITEM 32

The following ordinance was submitted for introduction by _____ in regular session convened on _____, 2007:

PROPOSED ORDINANCE

The following Ordinance, having been previously introduced and published, was offered for final adoption by _____, seconded by _____:

ORDINANCE NO.

ORDINANCE DECREASING THE TWENTY (20) MILES PER HOUR SPEED LIMIT TO FIFTEEN (15) MILES PER HOUR ON CHESTER LEE STREET, WARD (9), DISTRICT (7), PARISH OF LAFOURCHE, STATE OF LOUISIANA; PROVIDING FOR THE PLACEMENT OF SPEED LIMIT SIGNS; AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF.

BE IT ORDAINED, by the Lafourche Parish Council, convened in regular session on _____, 2007, that:

SECTION 1. Ordinance decreasing the twenty (20) miles per hour speed limit to fifteen (15) miles per hour on Chester Lee Street, Ward (9), District (7), Parish of Lafourche, State of Louisiana; providing for the placement of speed limit signs; and providing penalties for the violations thereof.

SECTION 2. The necessary "Speed Limit" signs shall be erected as deemed necessary on Lydia Street.

SECTION 3. The speed limit set forth in this Ordinance shall not apply to vehicles when operated with due regard for safety, under the directions of the Louisiana Department of Public Safety or other peace officer, in the chase or apprehension of violators of the law or of any person charged with or suspected of any such violation, nor to any fire department or fire patrol vehicles when traveling in emergencies. This exemption shall not, however, protect the driver, owner, or operator of any such vehicles from the consequences of reckless disregard of the safety of others.

SECTION 4. The Sheriff of this Parish is hereby specifically requested to assist in the enforcement of the provisions of this Ordinance.

SECTION 5. If any section, clause, paragraph, provision or portion of these regulations shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these regulations.

SECTION 6. Any person who violates the provisions of this Ordinance shall, upon conviction thereof, be punished by imprisonment in the parish jail for a period of not more than thirty (30) days, or by fine of not more than five hundred dollars (\$500.00) or by both such imprisonment and fine, at the discretion of the Court.

SECTION 7. All Ordinances or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

ITEM 32

SECTION 8. This Ordinance shall be published in the Office Journal of the Lafourche Parish Council in the manner provided by law.

SECTION 9. This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said Council, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:

NAYS:

ABSENT:

SECTION 10. This Ordinance shall become effective on the tenth day after final publication.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

Delivered to the Parish President on

_____, at ____ p.m.

APPROVED:

VETOED:

Lafourche Parish President

Returned to the Council Clerk on

_____, at ____ p.m.

ITEM 32

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ enacted by the Assembled Council in Regular Session on _____, 2007 at which meeting a quorum was present, and was finally adopted on _____.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED:

DATE EFFECTIVE:

ITEM 33

On motion by _____, seconded by _____, the following resolution was introduced and adopted;

RESOLUTION NO. ____

RESOLUTION IN SUPPORT OF A GRANT APPLICATION BY LAFOURCHE PARISH GOVERNMENT WITH THE STATE OF LOUISIANA, OFFICE OF COMMUNITY DEVELOPMENT, LOCAL GOVERNMENT ASSISTANCE PROGRAM.

WHEREAS, the purpose of the State of Louisiana, Office of Community Development, Local Government Assistance Program is to assist units of local governments with funding for needed infrastructure and long-term capital improvements in rural areas and to fill the gaps where there are no federal funds available to assist a unit of local government with an identified high priority need; and

WHEREAS, Lafourche Parish Government has determined that there is a gap in federal funding available to assist with the identified high priority need for emergency generators; and

WHEREAS, the Lafourche Parish Government will be submitting a grant application with the State of Louisiana, Office of Community Development, Local Government Assistance Program for funding for emergency generators; and

WHEREAS, the grant application deadline is July 31, 2007 and the guidelines request a resolution from the local governing authority along with letters of support from our state delegation to be submitted along with the grant application.

WHEREAS, this resolution was sponsored for administration by Dr. Tommy Lasseigne, Councilman, District 4; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council approve and support the application of the grant and further authorize the Parish President to sign the execute and administer said grant and all related documents.



THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on ____, and does hereby support the grant application of the Lafourche Parish Government with the State of Louisiana, Office of Community Development, Local Government Assistance Program for emergency generators and authorizes the Parish President to sign, execute and administer said grant and all related documents.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Grants & Economic Development Office; and the Office of the Parish Administrator.

ITEM 33

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____, 2007.

**DR. TOMMY LASSEIGNE,
CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 34

On motion by _____, seconded by _____, the following resolution was introduced and adopted:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO REDUCE THE AMOUNT BUDGETED FOR VARIOUS PAVILIONS & WALKING TRAILS WITHIN THE LAFOURCHE PARISH 2007 CAPITAL BUDGET BY \$57,083 AND APPROVING A TRANSFER OF APPROPRIATION TO CREATE THE GOLDEN MEADOW BOAT LAUNCH PARKING LOT PROJECT WITHIN THE CAPITAL PROJECTS FUND WITH SAID FUNDS.

WHEREAS, detail for the Lafourche Parish Capital Projects Budget for 2007 provides \$156,468.00 for various Pavilions and Walking Trails throughout the Parish; and

WHEREAS, the Administration has concluded that the entirety of funds for this project will not be necessary to complete said project by the end of the year; and

WHEREAS, a cooperative endeavor agreement created by and between the Lafourche Parish Council, Town of Golden Meadow and Lafourche Parish Recreation District #3 indicates that the Parish's financial portion for this project would be \$57,083; and

WHEREAS, this resolution was sponsored for Administration by Councilman Daniel Lorraine, District 9; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council authorize the Parish President to sign, execute and administer all relevant documents.



THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on _____, and does hereby authorize the Parish President to move \$57,083 from the Pavilions/Walking Trails Capital Outlay listed within the Lafourche Parish 2007 Capital Budget and to transfer the \$57,083 into a newly created project for the Golden Meadow Boat Launch Parking Lot within the Capital Project Funds.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to the Department of Parks, Recreation and Public Facilities; the Department of Finance and the Office of the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____.

ITEM 34

**DR. TOMMY LASSEIGNE,
CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

* * * * *

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____ adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 35

On motion by _____, seconded by _____, the following resolution was introduced and adopted:

RESOLUTION NO. _____

RESOLUTION APPROVING A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE LAFOURCHE PARISH COUNCIL, TOWN OF GOLDEN MEADOW AND LAFOURCHE PARISH RECREATION DISTRICT #3 TO PLAN, DESIGN, CONSTRUCT AND MAINTAIN A PARKING LOT AT THE GOLDEN MEADOW BOAT LAUNCH SITE; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AGREEMENT(S).

WHEREAS, The current launch site has a small parking area on the inside of the levee system; and

WHEREAS, A proposed larger parking area would allow for vehicles with boat trailers to park, essentially increasing the number of residents who could utilize the boat launch at any given time; and

WHEREAS, The larger parking area would also stop residents from parking vehicles and boat trailers on the side of the road leading to the launch, helping to prevent damage to those vehicles by other passing vehicles; and

WHEREAS, the land on which the parking lot will be placed is owned by the Town of Golden Meadow; and

WHEREAS, the project will be funded, in part, by a grant from the Louisiana Department of Wildlife and Fisheries and in part by funding through Lafourche Parish Government; and

WHEREAS, Lafourche Parish Recreation District #3 will maintain the site once it is constructed;

WHEREAS, this resolution was sponsored for administration by Mr. Daniel Lorraine, Councilman, District 9; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council authorize the Parish President to sign the Cooperative Endeavor Agreement and execute and administer all relevant documents.



THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on _____, and does hereby approve a cooperative endeavor agreement between the Lafourche Parish Council, Town of Golden Meadow and Lafourche Parish Recreation District #3 to plan, design, construct and maintain a parking lot at the Golden Meadow Boat Launch Site; and authorizes the Parish President to sign, execute and administer said agreement(s).

ITEM 35

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Lafourche Parish Recreation Department; Town of Golden Meadow; Lafourche Parish Finance Department, and the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

* * * * *

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____ adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 35

STATE OF LOUISIANA

PARISH OF LAFOURCHE

COOPERATIVE ENDEAVOR AGREEMENT

This Cooperative Endeavor Agreement is entered by and between:

Lafourche Parish Council, Post Office Drawer 5548, Thibodaux, Louisiana 70302, hereinafter referred to as “Parish” represented by Charlotte Randolph, Parish President, **Lafourche Parish Recreation District #3**, PO Box 294, Golden Meadow, Louisiana 70357, hereinafter referred to as “district” represented by Joey Bouziga, Board Chairman, and the **Town of Golden Meadow**, 313 North Bayou Drive, Golden Meadow, LA 70357, hereinafter referred to as “town” and represented by Joey Bouziga, Mayor.

WHEREAS, the Lafourche Parish Council supplements recreation activities within the parish to provide access to recreation areas for the citizens of the parish; and

WHEREAS, the Lafourche Parish Recreation District #3 exists to serve the recreation needs of the entirety of southern Lafourche Parish; and

WHEREAS, the Town of Golden Meadow provides ball fields at Oak Ridge Park for Recreation District #3 activities as well as a site for a boat launch; and

WHEREAS, the Parish of Lafourche, the Lafourche Parish Recreation District #3 and the Town of Golden Meadow intend to create the following Cooperative Endeavor Agreement to formalize fiscal and service goals, including providing a enlarged parking area for residents using the Golden Meadow Boat Launch;

Section 1

THEREFORE the Lafourche Parish Recreation District #3 agrees to the following terms:

-the Lafourche Parish Recreation District #3 will continue to provide constituents, without discrimination, organized recreational activities; and

-the Lafourche Parish Recreation District #3 will maintain the parking lot site once it is constructed;

Section 2

BE IT ALSO RESOLVED that the Lafourche Parish Council in compensation for the above services agrees to financial assistance to the Lafourche Parish Recreation District #3 in the following manner:

-the Lafourche Parish Recreation Department shall furnish **\$57,083.00** from its 2007 Capital Budget for the local share of a grant award from the Louisiana Department of Wildlife and Fisheries; and

ITEM 35

Section 3

BE IT ALSO RESOLVED that the Town of Golden Meadow in compensation for the above services agrees to assistance to the Lafourche Parish Recreation District #3 in the following manner:

-the Town of Golden Meadow shall continue to allow the use of the ball fields and boat launch facilities at Oak Ridge Park for Recreation activities through the recreation district; and

Section 4

This Cooperative Endeavor Agreement shall be effective **August 1, 2007** and shall remain in effect until cancelled by the Lafourche Parish Council. Cancellation shall be in written form with a 60-day notice.

The Lafourche Parish Council may but is not obligated to fund future projects and programs as a continuation of this agreement. It is the expectation that the funds expended in this agreement are for projects whose useful life will extend beyond the present year.

IN WITNESS WHEREOF, the parties have executed this Cooperative Endeavor Agreement as of the _____ day of _____, 2007.

**LAFOURCHE PARISH
GOVERNMENT**

**LAFOURCHE PARISH RECREATION
DISTRICT #3**

Charlotte A. Randolph
Parish President

Joey Bouziga
Board Chairman

TOWN OF GOLDEN MEADOW

Joey Bouziga
Mayor

ITEM 36

On motion by _____, seconded by _____, the following resolution was introduced and adopted:

RESOLUTION NO. _____

A RESOLUTION APPROVING A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN SOUTH CENTRAL PLANNING & DEVELOPMENT COMMISSION (SCPDC) AND LAFOURCHE PARISH GOVERNMENT FOR THE 2007 ADMINISTRATION DUES OF THE EDA REVOLVING LOAN FUND AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID AGREEMENT

WHEREAS, the Lafourche Parish Government, is a political subdivision of the State of Louisiana and the South Central Planning & Development Commission (SCPDC), is a planning district organized under the laws of the state of Louisiana; and

WHEREAS, Lafourche Parish Government is desirous to continue to participate in the U.S. Economic Development Administration (EDA) Revolving Loan Fund administered by SCPDC for businesses within SCPDC boundaries; and

WHEREAS, in order for SCPDC to offer businesses the lowest interest rate allowed by EDA, Lafourche Parish Government agrees to furnish SCPDC with financial resources to defray a portion of administrative expenses for operation of the EDA Revolving Loan Fund; and

WHEREAS, SCPDC shall assist Lafourche Parish Government as needed to interview prospective credit applicants, review applications and make site visits to the applicant's place of business; and SCPDC services shall include commission marketing of the EDA Revolving Loan Fund Program to the parish's media, banking community, and business community by providing on-site visits to parish businesses, group presentations to the parish's banks, businesses, social and civic clubs and participation in seminars and workshops; SCPDC will implement and coordinate activities of the EDA Revolving Loan Fund including – account and auditing, credit interviewing, loan processing, credit analysis, securing credit reports, Loan Administration Board review, loan closing, loan servicing, advertising and business development, credit reports, dues, subscriptions and policy formulation; and

WHEREAS, a Cooperative Endeavor Agreement between the Lafourche Parish Government and South Central Planning & Development Commission, for the 2007 administration dues of the EDA Revolving Loan Fund Program for the sum of \$7,500.00 has been prepared and reviewed the staff of all parties and is now ready for execution by the Parish President and SCPDC official;

WHEREAS, this resolution was sponsored for administration by Mr. Mark Atsenhoffer, Councilman, District 5; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council authorize the Parish President to sign the Cooperative Endeavor Agreement and execute and administer all relevant documents.



THEREFORE BE IT RESOLVED, that the Lafourche Parish Council does approve the Cooperative Endeavor Agreement between the Lafourche Parish Government, and South Central

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Planning & Development Commission, for the 2007 administration dues of the EDA Revolving Loan Fund Program for the sum of \$7,500.00 for the services to be provided by SCPDC as outlined above and to assist SCPDC in defraying administrative expenses for the operation of the EDA Revolving Loan Fund program; and shall not be used to support a passage of a specific tax and authorizes the Parish President to sign, execute and administer said Cooperative Endeavor Agreement and all relevant documents.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to South Central Planning & Development Commission, P. O. Box 1870, Gray, LA 70359; Lafourche Parish Finance Department, Grants & Economic Development Department and the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____, 2007.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

* * * * *

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____ adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 36

COOPERATIVE ENDEAVOR AGREEMENT

WHEREAS, the **PARISH OF LAFOURCHE (PARISH)**, a political subdivision of the state of Louisiana and **SOUTH CENTRAL PLANNING & DEVELOPMENT COMMISSION (SCPDC)**, a planning district duly authorized under the laws of the State of Louisiana on _____; and

WHEREAS, LAFOURCHE desires to continue to participate in the U.S. Economic Development Administration (EDA) Revolving Loan Fund to be administered by SCPDC for businesses within SCPDC boundaries; and

WHEREAS, in order for **SCPDC** to offer **LAFOURCHE** businesses the lowest interest rate allowed by EDA, **LAFOURCHE** agrees to furnish **SCPDC** with financial resources to defray a portion of administrative expenses for operation of the EDA Revolving Loan Fund; and

WHEREAS, SCPDC shall assist **LAFOURCHE** as needed to interview prospective credit applicants, review applications and make site visits to the applicant's place of business; and SCPDC services shall include commission marketing of the EDA Revolving Loan Fund Program to the parish's media, banking community, and business community by providing on-site visits to parish businesses, group presentations to the parish's banks, businesses, social and civic clubs and participation in seminars and workshops; SCPDC will implement and coordinate activities of the EDA Revolving Loan Fund including – account and auditing, credit interviewing, loan processing, credit analysis, securing credit reports, Loan Administration Board review, loan closing, loan servicing, advertising and business development, credit reports, dues, subscriptions and policy formulation; and

NOW THEREFORE, IT IS AGREED by and between the aforementioned parties that:

1. The transfer of funds from the **PARISH** to **SCPDC** is for 2007 administration dues of the EDA Revolving Loan Fund Program, whose purpose is to attract and assist new and existing businesses in order to foster economic growth so that jobs and employment opportunities may be created for the citizens of Lafourche Parish.
2. The transfer of funds from the **PARISH** to **SCPDC** shall not be used to support passage of a specific tax.
3. For the efforts to be provided under the terms of this agreement, the **PARISH** shall pay to **SCPDC** as 2007 administration dues the sum of SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS upon execution of this agreement and upon availability of funds.

AGREED:

WITNESSED:

PARISH OFFICIAL

Date

SCPDC OFFICIAL

Date

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On motion by _____, seconded by _____, the following resolution was introduced and adopted:

RESOLUTION NO. _____

RESOLUTION AMENDING A CONTRACT FOR SERVICES WITH LARRY J. PICCIOLA, INC., TO PROVIDE SUPERVISION AND OVERSIGHT OF THE PARISH'S ROAD CONSTRUCTION PROJECTS AND AUTHORIZES THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER SAID CONTRACT.

WHEREAS, the parish is improving streets in Road Sales Tax Districts 3, 5, & 6 with funding from sale of bonds, from RSTD District funds and from General and Royalty Funds as appropriated by the Lafourche Parish Council; and

WHEREAS, Larry J. Picciola, Inc. agreed to and has provided supervision and oversight of road construction project on behalf of the parish at a rate of 2% of construction cost for described; and

WHEREAS, Attachments for the original agreement were never submitted in the form and format described in the original agreement; and

WHEREAS, The District Attorney's Office has suggested that an amendment be prepared to clarify the term of the Larry J. Picciola agreement including a certified copy of a January 2005 listing of proposed streets; and

WHEREAS, The Administration has prepared an updated listing of streets for attachment with the amended agreement taking the January 2005 listing and bringing it up to date with additions and deletions that have occurred over the two and a half year contract period; and

WHEREAS, The amended agreement clarifies the term of the contract and provides for future additions and deletions subject to the approval of the Lafourche Parish Council

THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on _____, and does hereby approve the amended contract with Larry J. Picciola, Inc. for the supervision and oversight of road construction projects in connection with the parish's road construction program and at a cost not to exceed 2% of costs and authorizes the Parish President to sign, execute and administer said contract.

TOMMY LASSEIGNE, CHAIRMAN

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LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURHCE PARISH COUNCIL

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STATE OF LOUISIANA

PARISH OF LAFOURCHE

This CONTRACT entered into by:

LAFOURCHE PARISH GOVERNMENT, a political subdivision of the State of Louisiana, duly created in accordance with the Constitution and Laws of the State of Louisiana, herein represented by the Honorable Charlotte Randolph, Lafourche Parish President, as per authority contained in the attached certified copy of a Resolution of the said Lafourche Parish Council, the governing authority of LAFOURCHE PARISH, hereinafter referred to as the OWNER; and

LARRY J. PICCIOLA, INC., incorporated under the laws of the State of Louisiana, with offices located at Larose, Louisiana (Post Office Box 970), represented by Larry J. Picciola, its President as per authority of the attached certified copy of a resolution of LARRY J. PICCIOLA, INC., hereinafter referred to as CONSULTING ENGINEER, witnesseth:

WHEREAS, the Owner is desirous of obtaining consulting services in connection with the planning, design, and construction of such public improvements, as required by the Public Contract Law of Louisiana, as specifically defined and authorized for the Owner for the following project:

The “2005 Road Improvements Program in RSTDs 3,5,&6,

Phase 3A Bayou Blue

Phase 3B Lower Bayou Blue

Phase 3C Pointe Au Chein

Phase 3D Bayou Blue

Phase 3E Lockport to Larose & Mathews

Phase 3F Bayou Blue

Phase 3G Concrete Streets in Lockport/Bayou Blue

Phase 3H Bayou Blue – Meadowlands

Phase 3J Lake Long Drive

Phase 5A Kraemer/Chackbay

Phase 5B Chackbay/Choupic

Phase 5C Thibodaux Country Club

Phase 5D West Thibodaux

Phase 5E Lafourche Xing LA 308 side

Phase 5F Lafourche Xing LA 1 side

Phase 5G Concrete Streets Thibodaux area

Phase 5H Choctaw

Phase 5I Lefort ByPass

Phase 6A Raceland

Phase 6B Four Point to Raceland

Phase 6C Raceland

Phase 6D Des Allemand”

(See Attached streets listing. The attached listings are a compilation of streets that were previously engineered and ready for construction plus lists generated by a report prepared by Picciola and Associates and then Larry Picciola for this project. Streets added by action of the Parish Council within approved contracts and/or change orders associated with this project shall reflect and have affect on the attached listing)

WHEREAS, the service of a consulting engineering firm is needed to assist the Owner with overseeing Project Engineers for these projects, all as covered in the following provisions of this Contract. Project Engineers, in this contract, are defined as civil engineers contracted by OWNER to design streets in accordance with parish standards and follow these projects through to construction.

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NOW, THEREFORE, the Owner and the Consulting Engineer for the consideration hereinafter expressed, agree as follows:

ARTICLE I. EMPLOYMENT OF CONSULTING ENGINEER

The Consulting Engineer agrees to perform the necessary professional services hereinafter set forth in Article II and Article III of this agreement as authorized by the Owner in writing.

ARTICLE II. CHARACTER AND EXTENT OF SERVICES

Consulting Engineer shall perform professional services as hereinafter set forth.

A. BASIC SERVICES—PRELIMINARY PHASE

- 1.) Confer with Owner to review his desires and requirements.
- 2.) Confer with Owner on an as needed basis to inform the Owner of the status of the project(s).
- 3.) Review contracts between Project Engineers and Owner with Owner.
- 4.) Review standard contract to be used between Contractor and Owner with Owner.
- 5.) Discussion of cost scheduling of individual engineering and construction projects with Owner.
- 6.) Review project cost estimates, plans, specifications and any other documents prepared by Project Engineers for the respective projects and advise Owner if these items generally conform to contract requirements between Project Engineer and Owner and Owners requirements.
- 7.) Inspect streets with Project Engineer and Owner prior to receiving construction bids.
- 9.) Review Project Engineer's recommendations on the award of the construction contract prior to the award by Owner.
- 10.) Make periodic field inspections to determine if the Project Engineer and Contractor are meeting the general intent of the contracts with the Owner. Make periodic visits to site to observe progress and quality of work and to determine in general if work is proceeding in accordance with Project Engineer's contract documents. CONSULTING ENGINEER will not be responsible for construction methods, procedures, safety precautions and programs incident thereto. His efforts will be directed toward providing assurance for Owner that the completed project will conform to the requirements of the Project Engineer's contract documents. CONSULTING ENGINEER will keep the Owner informed of the work and will endeavor to guard the Owner against defects and deficiencies in the work as failing to conform to the Project Engineer's contract documents.
- 11.) Will act as interpreter of the terms and conditions of the contracts between the Project Engineer and Construction Contractor with Owner and evaluate their performance thereunder and will recommend decisions on all claims of the Owner and the Project Engineer and/or Construction Contractor relating to the execution and progress of the work and all other matters and questions related thereto, but the Engineer will not be liable for the results of any such interpretations or decisions rendered by him in good faith beyond the limits of his fees.
- 12.) Review invoices from Project's Engineer and Contractor for payment by Owner.
- 13.) Upon completion of the construction contract, inspect project with Project Engineer and Construction Contractor to determine if the construction generally conformed to the Project Engineer's

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Contract Documents and advise Project Engineer and Owner of any deficiencies.

B. SPECIAL SERVICES

Included as Special Services are the following:

- 1.) Assist Owner as expert witness in litigation arising from the development or construction of project.
- 2.) Additional or extended services made necessary due to Acts of God or other causes during construction and/or default by Contractor.
- 3.) Additional or extended services made necessary due to the Project Engineer and/or Construction Contractor's failure to complete the project within the time set forth in these contract between the Project Engineer and/or Construction Contractor and the owner, but limited to services actually rendered after actual efforts have extended past the number of days allowed for completion of the contract as set forth in the respective contract between the Owner and the Project Engineer and/or Construction Contractors.

ARTICLE III. COMPENSATION

A. BASIC SERVICES

The Owner agrees to pay the Consulting Engineer for such services a basic fee consisting of two (2) percent of the cost of invoice by the Project Engineer and actual cost of constructing the project or the final construction estimate after the Project Engineers design phase if the project is not constructed. Owner reserves the right to remove private streets from attached lists within the first 15 days of this contract. These streets will be returned to the list at the direction of the Owner if the Private/Public status can be resurrected. The fees on these private streets that are not returned will be based on the Project Engineer's fees only. This shall constitute complete compensation for the services outlined in Article II.

The fee shall be due and payable in conjunction with invoicing by project engineers and construction contractors.

B. SPECIAL SERVICES

- 1.) Shall be negotiated between the Consulting Engineer and Owner but at no time shall special services fee amount be higher than the Engineer's current fee schedule.

ARTICLE IV. INSURANCE

The Engineer shall carry the generally accepted amount of Workmen's Compensation Insurance and Public Liability, Property Damage, and Automotive Vehicle Insurance. The Engineer shall comply with all requirements of Federal, State, and Local laws.

The CONSULTING ENGINEER shall carry the following minimum limits on his insurance policy:

Auto Insurance	\$1,000,000.00
Liability Insurance	\$1,000,000.00
Professional Liability	\$1,000,000.00
Worker's Compensation	Statutory including employers liability with minimum limit of \$500,000.00*

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Water craft or Air craft Liability When applicable to the project must carry \$1,000,000.00 for water craft and \$10,000,000.00 for air craft

Lafourche Parish Council must be held harmless, named as an additional insured and provided with a waiver of subrogation.

**Exception: When work is to be over water and involves maritime exposure coverage to include Maritime Employer's Liability with a minimum limit of \$1,000,000.00.*

A copy of an insurance certificate reflecting the required coverage amount shall be provided to OWNER annually and anytime upon request. See ARTICLE II B(11) for specific limits of liability.

ARTICLE V. SOURCES OF FEES

All fees to be paid herein shall be payable out the respective Road Sales Tax District accounts and payment shall be contingent on whether sufficient funds for payment is in existence at the time the debt is incurred.

ARTICLE VI. OWNERSHIP OF DOCUMENTS

Original drawings and specifications as instruments of service are the property of the Engineer whether the work for which they are made be executed or not. As heretofore specified in this agreement the Owner shall be furnished copies of these drawings and specifications and reproductions of working drawings, however, the said copies shall remain the property of the Engineer. The Owner shall be entitled to maintain copies of all plans and specifications for their own use only.

ARTICLE VII. TERMINATION OF CONTRACT

- A. This contract shall remain in effect until the completion of the project; however, either party may elect to cancel upon first giving thirty (30) days written notice of its intention to so cancel.
- B. However, in the event that all other engineering services are terminated as provided above the ENGINEER shall be paid for work complete to date as specified above.

ARTICLE VIII. SUCCESSORS AND ASSIGNMENTS

Neither the Owner nor the Engineer shall assign their rights or interests herein without a written agreement of the other party. The provisions herein shall be binding on the parties hereto, their successors or assigns.

THUS DONE AND SIGNED AT _____, Louisiana, in the presence of the witnesses whose names are subscribed opposite each respective signature, on the day of _____.

OWNER:	Seal	ENGINEER	Seal
_____		_____	
Charlotte Randolph, Parish President		Larry J Picciola, Engineer	
By _____		By _____	
Name _____		Name _____	
Title _____		Title _____	

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General: The below listings are a compilation of streets that were previously engineered and ready for construction plus lists generated by a report prepared by Picciola and Associates and then Larry Picciola for this project. Streets added by action of the Parish Council within approved contracts and/or change orders associated with this project shall reflect and have affect on the below listing.

Project 3A Bayou Blue Area

Canal Lane
Central Street
Adams Street
Una Mae Street
Silver Street
Linda Street

Dewey Street
Division Street
Shirley Lee Street
Jerry Lou Street
Marcel Street

Note: Mazarac moved to Phase 3B. St. Marie Drive, LaCroix Drive Roberts Drive, Meadowland/Chetta Drive, Stewart Place, Dell Place, Barbara Place, Richard Place, Ronald Place and Myrtle Place moved to 3H

Project 3B Lower Bayou Blue Area

Ferry Road
Texas Gulf Road
Mazarac

Bayou Blue Road
Boquet Street

Note: Mazarac was initially on Phase 3A. Lake Long Drive separated as separate project to phase 3J

Project 3C Pointe Au Chein

Emily Street
Laura Street
Hemlock Street
Maple Street

LeBouef Lane
Cypress Avenue
Cedar Street
Oak Pointe Road
(Lower 665)

Project 3D Bayou Blue

Baylis Drive
Stacy Drive
Lydia Street
Hidden Acres Street
Gladne Street

Diana Drive
Navarro Drive
Ida Street
Aselane Street
Jackie Street

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Opal Street
Alton Street

Floral Street

Note: Aselane Street, Gladne Street, Jackie Street, Opal Street, Floral Street and Alton Street were originally in phase 3F

Project 3E Lockport to Larose

E. Main Street
E. Lerille Street
E. 14th Street
E. Front Street
Emile Drive
Front Street
Lowery Street
Adams Street
E. Barrios Street
Valentine Bridge Ramps

W. Waguespak Street
E. Dresner Street
E. Breaux Street
McCloud Road
Jay Drive
Baston Drive
Joe Brown Road
Ursula Street
Barker

Note: Barker Street and Valentine Bridge Ramps were added as an add alternate in the construction bid accepted by Council Resolution in the construction contract approval. Resolution No. 05-257. T-Bois to Bridge was identified as being Hamilton Street in RSTD #2

Project 3F Bayou Blue

Louise Lane
Ozia Skyline Drive
Marleen Street
Frances Street
Hattie Street & 20' Turn-Around

Dave Dupre Street
Savoie Street
Paula Street
Main Street

Note: Aselane Street, Gladne Street, Jackie Street, Opal Street, Floral Street and Alton Street moved to 3B. Maurine St, Rita St., Jewell St., Emily St, and Danee's Lane were pulled from original list as they are intended to be concrete. They all are cross streets of Marybeth Street. Phase 3F was an asphalt project (Proposed Project 3J - 2008)

Project 3G Concrete Panels in Dist. 3

Robyn Street/Jennifer
Fantastic Blvd

Chateau Drive
Country Village

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Note: Chateau Drive and "Country Village were listed in Larry Picciola Reports including meeting date when Council Resolution 07-___ (June 12th 2007) was approved accepting construction contract. Jennifer is entryway to Robyn Street (road name changes when road turns)

Project 3H **Bayou Blue-Meadowlands**

St. Marie Drive
Roberts Drive
Stewart Place
Barbara Place
Ronald Place
Palmisano Drive

LaCroix Drive
Meadowland/Chetta Drive
Dell Place
Richard Place
Myrtle Place

Note: Palmisano not currently in engineers drawings. It had been resurfaced in prior term. Current condition may warrant additional work. (Included in 2004 listing by Picciola and Associates) Remainder of listing from Phase 3A

Project 3J **Lake Long Drive**

Lake Long Drive

Note: created as separate project moved from phase 3B

Project 5A **Kraemer**

Hannah Street
Edna Robinson Street
Rodrigue Street
Legendre Drive
Torres Road

Bourgeois Lane
Mars Street
Green Acres Drive
Kraemer Bayou Road
Sanchez Road/Bridge

Note: Delatte Rd., Lovers Lane, Benoit No. 1 & Benoit No. 2, Choctaw School Rd and Molaisaon moved to project 5H

Project 5B **Choupic/Chackbay**

Coteau Lane
Landry Lane
Hatchett Lane
Marc Lane

Saw Mill Road
Percle Lane
Morvant Lane
Durocher Street

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Lois Durocher Street
Felicity Street
Schneider Lane
Bayou Choupic
Farmer
First
Legendre Estates

CM Durocher Street
School Lane
Clancy
Murphy
Clement
Second

Note: Legendre Estates added by Change Order #1 Resolution 07-012)
First, Second, and Clement moved to phase 5H and brought back by (Change Order #2 Resolution 07-048). Clancy, Bayou Choupic, Murphy Brock and Farmer were held until landrights considerations were handled. Brock was omitted from Larry's Jan 2005 listing.

Project 5C Country Club

Oaklawn Drive
Fairfield Drive
Levert Road
Garden Circle
Windsor Drive
Bermuda Drive
Pleasure Lane

Garden Drive
Edgewood Drive
Evergreen
Killarney Place
Rosemont Drive
Jamaica Drive
Easy Street

Note: N. Acadia Road and Acadia Woods Road were deleted from project phase due to annexation by city.

Project 5D West Thibodaux

Easy Drive
Leighton Quarters Road
Hidalgo Lane
Diplomat Way
Free Tumble

Parish Road
Greenwood Plantation
Home Cottage Road
Euclair Drive

Note: Free Tumble was added by Change Order #1 by Council Resolution 06-291.
Leighton Quarters Rd added by the Administration and appears on Larry's listing from its initiation in 2005.

Project 5E Hwy. 308 Lafourche Crossing Area

TJV Lane
Verdin Lane

Martinez Lane
Bartley Lane

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Grenier Road
Rue St Jacques
Rue St John the Baptist

Rue St Honore
Rue St Paul

Note: Cross streets Rue St Honore, Rue St Jacques, Rue St Paul, and Rue St John the Baptist were added during course of engineering at the request of a councilman. They were included in the listing of streets on Larry Picciola's report through to and when the contract was approved at the May 22nd 2007 Council meeting (Resolution 07-___).

Project 5F **LA1-Lafourche Crossing Area to St. Charles**

Citation Street
Bayou Vista Drive
Ledet Drive
Butler Street
Loupe Street

Supercharge Drive
P. Thibodaux Road
Constant Drive
Omega Street
Cedar Street

Note: Cross streets off of Ledet Drive are being considered for inclusion as project approaches bid process. Loupe Street was added at the request of a councilman having been omitted from all lists in the Des Allemands Phase 6D Lefort By Pass moved to Project 5I. Cedar Street is an omission moved to this project from phase 6C

Project 5G **Concrete Panels in District 5**

Cedar Tree Drive
Gaubert Drive
Adams Lane
Marcello Blvd,
East Oaklawn
Ruby St,
Belle Hellene
Aragon St.
Asphodel St.
Bellengrath
Stephanie
Blanchard
Parkside

Brandywine Blvd.
Theriot Drive
Carmen Drive
Price
Tina St
Opal St.
Richland St.
Parlange St.
Rosedown St.
Midway
Rue De Cypress
Eric and Easy

Note: Holiday and Country Club Blvd deleted from the project. Carmen Drive, Marcello Blvd, Price, East Oaklawn, Tina St., Ruby St., Opal St., Belle Hellene, Richland St., Aragon St., Parlange St., Asphodel St., Rosedown St., Bellengrath, Midway, Stephanie, Rue De Cypress, Blanchard, Eric and Easy added at the request of a councilman and included in Larry Picciola's listings prior to and when

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construction contract was approved. Parkside added by Change Order #1
(Resolution 07-013)

Project 5H **Choupic/Chackbay**

Martinez Street
Elmo Lane
Delatte Road
Benoit No. 2 Road
Choctaw School Road

Landreu Drive
Ordoyne Road
Lovers Lane
Benoit No. 1 Road
Molaison Road

Project 5I

Lefort By Pass

Note: Formerly listed in 5F

Project 6A **Raceland**

Leonard Street
Camelia Lane
St. Phillip Street
Berry Lane
St. Ann Street
Zynn Street

Blanchard Street
Daisy Lane
VFW
St. Patrick Street
Peltier

Note: Peltier and Zynn were originally on Phase 6B

Project 6B **North Raceland**

Rodriguez Drive
Easy Street
Four Point Drive
Frost Drive
Theriot Drive
Robichaux Street
Wilson Street

Queen Street
Samuel Tilden Street
Gus Drive
Zack Drive
Mary Drive
Murtle Street

Note: Peltier and Zynn were moved to Phase 6A

Project 6C **Raceland**

Milli Street

Morristown Bypass Road

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Dantin Street
Gibson Street
Hackberry Street
Recreation Drive

Mitchell Street
Fir Street
Bayou Folse Road

Note: Broom St, Amber Lane and Morristown Road deleted and resurfaced via Morristown Sewerage Project. Cedar Street moved to 5F

Project 6D

Des Allemands

Fonseca Lane
W. Bayou Road
Folse Street
Cypress Drive

Note Phases 6C & 6D were combined for construction.

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On motion by _____, seconded by _____, the following resolution was introduced and adopted;

RESOLUTION NO. ____

RESOLUTION APPROVING THE CONTRACT WITH THE STRATEGIES TO EMPOWER PEOPLE (STEP) CONTRACT FOR THE PROGRAM YEAR 2007-2008 WITH THE LAT WORKFORCE INVESTMENT BOARD, INC. TO RECEIVE FUNDING FOR WORKFORCE INVESTMENT AREA #31; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER CONTRACT AND ASSOCIATED DOCUMENTS AND AMENDMENTS

WHEREAS, the Lafourche Parish Government is the grant recipient of \$135,156.00 for the Program Year 2007-2008; and,

WHEREAS, the LAT serves as fiscal agent for said grant under the direction and oversight of Frank Lewis, executive director and a board of advisors led by Assumption Police Jury President, Marty Triche; and,

WHEREAS, said contract requires the signature of the Lafourche Parish President as the grant recipient; and,

WHEREAS, this resolution was sponsored for administration by Mr. Mark Atzenhoffer, Councilman, District 5; and

WHEREAS, it is recommended by the Administration of the Lafourche Parish Government that the Council authorize the Parish President to sign the Agreement for Funding under the Workforce Investment Act LWIA #31 and execute and administer contract, amendments, and all relevant documents.



THEREFORE, BE IT RESOLVED, that the Lafourche Parish Council convened in regular session on _____, and does approve the contract (Grant #637622) in accordance with State requirements and subject to the recommendations of the LAT Board; and authorizes the Parish President to sign, execute and administer said contract(s) and all associated documents and amendments.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to LAT Workforce Investment Board, Inc., 911 Bond Street, Post Office Box 4115, Houma, Louisiana 70361; Lafourche Parish Government Department of Finance, and the Office of the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

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NAYS:

ABSENT:

And the resolution was declared adopted this _____ day of _____.

**DR. TOMMY LASSEIGNE,
CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

* * * * *

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____,
DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

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SUBGRANTEE INFORMATION

PHYSICAL LOCATION:

Street Address

911 Bond Street

City, State, Zip

Houma. LA 70361

Building/Room/Suite Number

Executive Director

Name:

Frank Lewis

Telephone:

(985)580-7249

SECONDARY CONTACT PERSON:

Name:

Valerie Campbell

Telephone:

(985)873-6855

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LOUISIANA DEPARTMENT OF LABOR

Subgrantee Name and Address: LAT Workforce Investment Board, Inc. LWIA31 911 Bond Street Houma, LA 70361	Contract Period: July 1,2007 through June 30,2008
Contract Number:	Modification Number:

STEP BUDGET INFORMATION SUMMARY

FISCAL YEAR	PROGRAM RELATED COSTS			NON -PROGRAM RELATED COSTS	TOTAL
	SALARIES AND FRINGE	NON - PERSONAL SERVICES	FACILITIES	ADMINISTRATIVE COSTS	
2007-2008	\$108,089	\$14,780	\$0	\$12,287	\$135,156

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PAYMENT TERMS

In consideration of the services described in the attached Memorandum of understanding (MOU), the Louisiana Department of Labor hereby agrees to pay the Subgrantee a maximum fee of One hundred Thirty-five Thousand, One hundred Fifty-six dollars and zero cents (\$135,156.00). **Payment(s)** will be made only on approval of the Grant Manager.

No request for funds will be honored when the amount of the request exceeds the total amount of the funds in the subgrant.

REPORTING REQUIREMENTS

It will be the responsibility of the Subgrantee to furnish the Grantee with monthly STEP Expenditure Reports and Invoices in the format required by LDOL. The original and one (1) copy of each of these forms will be sent to the Louisiana Department of Labor, Attention: STEP Coordinator, Office of Workforce Development, 1001 North 23rd Street, Post Office Box 94094, Baton Rouge, Louisiana 70804-9094. The Subgrantee will maintain and submit tracking reports, as required or requested by Grantee, on daily, monthly, quarterly, and annual activity. The Subgrantee will submit participant reports in a format **and/or** schedule as required by LDOL. The reports will include the status of activities by project, problem areas encountered, and action taken or suggested to correct the problems. The Subgrantee will detail and itemize by category, upon request by Grantee.

TAXES

The Subgrantee hereby agrees that the responsibility for payment of taxes from the funds thus received under this **subgrant** shall be the Subgrantee's obligation and identified under tax identification number 72-1476016.

TERMINATION FOR CAUSE

The Grantee may **terminate** this **subgrant** for cause based upon the failure of the Subgrantee to comply with the terms **and/or** conditions of the Subgrant; provided that the Grantee shall give the Subgrantee written notice specifying the **Subgrantee's** failure. If within thirty (30) days after receipt of such notice, the Subgrantee shall not have either corrected such failure or, in the case of failure which cannot be corrected in thirty (30) days, begun in good faith to correct said failure and thereafter proceeded diligently to complete such correction, then the Grantee may, at its option, place the Subgrantee in default and the **Subgrant** shall terminate on the date specified in such notice. The Subgrantee may exercise any rights available to it under Louisiana law to terminate for cause upon the failure of the Grantee to comply with the terms and conditions of this **Subgrant** provided that the Subgrantee shall give the Grantee written notice **specifying** the Grantee's failure and a reasonable opportunity for the Grantee to cure the defect.

Job Readiness activities shall not be suspended, nor shall Job Readiness staff be terminated for purposes related to program closure or suspension without 30 days written notice to the Louisiana Department of Labor, **Office** of the STEP Coordinator.

TERMINATION FOR CONVENIENCE

The Grantee may terminate the **Subgrant** at any time by giving thirty (30) days written notice to the Subgrantee. The Subgrantee shall be entitled to payment for **deliverables** in progress, to the extent work has been performed satisfactorily.

REMEDIES FOR DEFAULT

Any claim or controversy arising out of this **subgrant** shall be resolved by the provisions of LSA-R.S. 39:1524 through 1526.

EQUIPMENT AND DOCUMENTS

All records, reports, documents and other material delivered or transmitted to Subgrantee by Grantee shall remain the property of Grantee, and shall be returned by Subgrantee to Grantee, at Subgrantee's expense, at termination or expiration of this subgrant. All records, reports, documents, or other material related to this **Subgrant and/or** obtained or prepared by Subgrantee in connection with the performance of the **services** contracted for herein shall at all times be the property of the Grantee, and shall, upon request, be returned by Subgrantee to Grantee, at Subgrantee's expense, at termination or expiration of this subgrant.

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Procurement of all equipment and software must be consistent with the Grantee Purchasing Regulations, and must be used for STEP Program purposes consistent with the subgrant. Procurement (purchase or lease) of items with a unit acquisition cost of \$1,000 or more, and any computer equipment requires prior written approval from Grantee. In accordance with LAC Title 34, Part VII, Chapter 3, Section 307.A, all property with a unit acquisition cost of \$1,000 or more must be placed on inventory and tagged within 45 days of receipt. In order to comply with this requirement, the Subgrantee must provide the Grantee with one copy of the receiving invoice, with the acquisition cost indicated, and the one copy of the letter authorizing the purchase within 7 days of receipt of property. The original invoice must be sent to the LDOL Fiscal Unit for reimbursement. The Grantee retains title to all property purchased with STEP funds. The Subgrantee must designate the Louisiana Department of Labor as the sole owner of all equipment, computer software, licenses, warranties, and agreements. The Subgrantee will have **full** use and responsibility of this equipment and software for their program.

The Subgrantee shall maintain inventory control records on all equipment and computer software purchased and/or borrowed. It is the responsibility of the Subgrantee, at the Subgrantee's cost, to return non-consumable property and **software** to the Grantee within 30 days of the ending date of said **subgrant** if so requested. The Subgrantee shall be liable for the cost of any unreturned items.

NONASSIGNABILITY

No Subgrantee shall assign any interest in this **subgrant** by assignment, transfer, or novation, without prior written consent of the State. This provision shall not be construed to prohibit the Subgrantee from assigning **his/her** bank, trust company, or other financial institution any money due or to become due from approved subgrants without such prior written consent. Notice of any such assignment or transfer shall be furnished promptly to the State.

AUDITORS/AUDITS

It is hereby agreed that the Legislative Auditor of the State of Louisiana and/or the Office of the Governor, Division of Administration auditors shall have the **option** of auditing this contract.

Audits must be conducted in accordance with **OMB** Circular A-133. A copy of this audit must be submitted to the Department of Labor as soon as the audit has been completed so that the Department of Labor may take appropriate action. The audit will be kept on file for review by the Legislative Auditor's **Office**.

CONTRACTUAL REVIEW APPROVAL

This **subgrant** is not effective until approved by the Director of the Office of Contractual Review in accordance with **La. R.S.** 39:1502. It is the responsibility of the Subgrantee to advise the agency in advance if **subgrant** funds or **subgrant** terms may be insufficient to complete **subgrant** objectives.

TERM OF SUBGRANT

This **subgrant** shall begin July 1, 2007 and shall terminate on June 30, 2008.

Any work performed under this contract, prior to approval of the Office of Contractual Review, is performed at the risk of the Subgrantee. The Grantee shall have no obligation to reimburse the expenses of any such work if this **subgrant** is not approved by the **Office** of Contractual Services.

FISCAL FUNDING

The Louisiana Department of **Labor**, designated by the Department of Social Services as the administrator of the funds available to Grantee under the **TANF/STEP** MOU, shall not be obligated to reimburse the Subgrantee for costs incurred in excess of the amount shown on the Signature Sheet unless the **subgrant** is amended in writing within the terms of the subgrant.

This is a cost-reimbursement subgrant. Reimbursable costs are limited to those costs allowable under the **TANF/STEP** Regulations, the MOU, and all applicable State and local laws and regulations and other applicable regulations, instructions and policies established by the Grantee including limitations set forth in this subgrant. The Subgrantee shall maintain adequate backup documentation to support all expenditures. The Department of Labor will review these transactions and the support documentation for the transactions during monitoring visits and through submission of monthly invoices per the format provided by LDOL (Refer to Attachment B "Invoice Instructions").

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This **subgrant** was funded utilizing TANF/STEP, fiscal year 2007-2008 funds. The Louisiana Department of Labor Fiscal Unit will charge this **subgrant** to the TANF/STEP Program as reflected on expenditure reports.

The continuation of this contract is contingent upon the appropriation of funds to fulfill the requirements of the contract by the legislature. If the legislature fails to appropriate **sufficient** monies to provide for the continuation of the contract, or if such appropriation is reduced by the veto of the Governor or by any means provided in the appropriations act to prevent the total appropriation for the year **from** exceeding revenues for that year, or for any other lawful purpose, and the effect of such reduction is to provide insufficient monies for the continuation of the contract, the contract shall terminate on the date of the beginning of the first fiscal year for which funds are not appropriated.

Funds available under this **subgrant** shall flow directly **from** the Grantee to the Subgrantee, based upon a telephone call reporting the amount of accrued expenses to the LDOL Fiscal Office and followed immediately by submission of a Request for Funds form. All Request for Funds forms must be signed by the Grantee Fiscal Officer or designee. The subgrantee shall submit monthly STEP Expenditure Reports to the LDOL fiscal office on or before the 15th working day of the month following the reporting month. In addition, invoices and source documents must be submitted to the STEP Coordinator substantiating the expenditure of funds on or before the 15th working day of the month following the reporting month. The amount of the request and the purpose of the payments must be indicated on both the Invoice and the STEP Expenditure Report. It is mandatory that Invoices and STEP Expenditure Reports be submitted on a monthly basis. Only expenses in direct support of this **subgrant** may be paid with **subgrant** funds.

Under no circumstance shall reimbursements be requested in advance of services being performed by the subgrantee. Non-compliance with fiscal procedures may result in the imposition of additional requirements to obtain funds.

The Subgrantee will be responsible for assuring that all funds under this **subgrant** are expended in compliance with **TANF/STEP** regulations and the **MOU**. The Subgrantee will be liable to the Department of Labor for any unresolved audit exceptions and/or disallowed costs.

Total administrative costs cannot exceed 10% of the total grant allocation. Expenditures are to be reviewed on a quarterly basis to ensure that the 10% administrative limit is not exceeded. Administrative costs should be proportionate to total program expenditures and in line with the progression of Job Readiness performance (see Attachment C-Administrative Cost Clarification).

DISCRIMINATION CLAUSE

The contractor agrees to abide by the requirements of the following as applicable: Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, Federal Executive Order 11246 as amended, the Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, the Fair Housing Act of 1968 as amended, and contractor agrees to abide by the requirements of the Americans with Disabilities Act of 1990.

Contractor agrees not to discriminate in its employment practices, and will render services under this contract without regard to race, color, religion, sex, sexual orientation, national origin, veteran status, political affiliation, or disabilities.

Any act of discrimination committed by Contractor, or failure to comply with these statutory obligations when applicable shall be grounds for termination of this contract.

STAFF COSTS

Program staff costs are set forth in the **subgrant** budget. Accrued leave payments comprise an integral part of the **fringe** benefit package, and the cost of providing these payments is reflected in the staff cost and fringe benefit line item. The Subgrantee shall be liable and will not be reimbursed for any staff cost in excess of the total staff cost allocation designated in this subgrant. The subgrantee must obtain approval **from** the Grantee prior to entering into any subcontract in order to obtain the goals **and/or** objectives of this subgrant.

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HOURS OF WORK AND TRAVEL REGULATIONS

A 40-hour workweek is established as the standard workweek for all **subgrant** personnel. Work schedules will be arranged in a manner that prevents the earning of paid overtime hours by any staff member. No employee's time will be reimbursed at an overtime rate.

A comprehensive list of all staff working in conjunction with this contract should be forwarded to the Office of the STEP Coordinator within 30 business days from the inception of this contract. The list should include the employees name, official job title, job status (full time or part time), and the percent of time the individual is allotted to work on this contract.

Any changes regarding staff associated with this contract must be forwarded to the **Office** of the STEP Coordinator within 15 business days from the date of the change. Any change in the number or percentage of hours worked must be given prior approval by the Grantee and must be confirmed in **writing**.

Professional staff will be required to travel throughout the state while performing their job duties. All travel in direct support of this **subgrant** will be paid to program staff in accordance with the State of Louisiana Travel Rules and Regulations, PPM 49; this information can be obtained at www.doa.Louisiana.gov/osp/travel. Travel must be prorated on a basis of the activity chargeable that necessitated the travel. No more than \$20,000 of the total maximum amount payable under this **subgrant** shall be paid or received as reimbursement for travel expenses. Out-of-state travel will be limited to STEP functions directly related to staff job assignments, with supportive documentation attached to the travel authorization request, **and/or** the expense account reimbursement request. All out-of-state travel will require prior written approval from the Department of Labor.

A travel log will be maintained and will show the specific purpose of the trips and the names of all staff that made the trip. The travel log must document local, as well as out-of-town trips.

MODIFICATION

Modifications or revisions to this **subgrant** require the prior written approval of the Department of Labor. Modifications or revisions are limited to minor changes in this **subgrant** that do not substantively change dates, terms, or conditions of the subgrant. Substantive changes to this **subgrant** must be made by amendment approved by the Department of Labor and the Office of Contractual Review.

CERTIFICATION

The Subgrantee certifies that all the activities of this **subgrant** shall be operated in compliance with Act 58 of the 2003 Regular Session for the STEP Program, and federal and state regulations (45 CFR Part 260 et al and **LAC:67:11**, Subpart 15).

STATE MONITORING PLAN

The Governor is responsible for oversight of all **TANF/STEP** activities and programs. In this regard, the following State Monitoring Plan has been developed.

- A. In order to ensure that program quality and outcomes meet the objectives of the **TANF/STEP** program, the State Monitoring Unit will conduct annual on-site monitoring reviews of each Subgrantee utilizing a monitoring review guide developed by the Department of Labor. The on-site review will encompass all aspects of the contract including administrative and financial procedures, as well as program compliance, quality and outcomes.

In addition, the LDOL STEP Coordinator or an entity designated by LDOL will conduct annual off-site desk reviews and as needed on-site program reviews, which will analyze performance.

- B. An examination of **expenditures** against the cost categories and cost limitation specified in the Act and Regulations shall be conducted monthly by the Fiscal Unit which receives and processes monthly expenditure reports from Subgrantee and quarterly by the Technical Assistance Unit as part of the quarterly desk reviews of performance.
- C. The mechanism which provides for a **performance** enhancement plan to be imposed in the event any non-compliance with respect to items A & B above, consists of a formal process of providing written reports to affected parties detailing any adverse findings and requiring corrective actions whenever necessary. A follow-up is then conducted to ensure resolution of any issues.

ITEM 38

CERTIFICATE OF AUTHORITY

I, Arlene Toups, certify that I am the Executive Assistant, of the corporation, committee, commission, association, or governmental entity named as Subgrantee herein; that Charlotte Randolph, who signed this **subgrant** and who **will** sign modifications to it on behalf of the Subgrantee, is the President of said corporation, committee, commission, association, or governmental entity; that said **subgrant** was duly signed for and in behalf of said organization by authority of its governing body and is within the scope of its powers as a:

Corporation Association Committee Commission Government Entity

SIGNATURE OF CERTIFYING OFFICER

ITEM 38

CERTIFICATION OF FISCAL ACCOUNTABILITY

Under the provisions of the STEP Memorandum of Understanding, funds expanded for this Act must be documented and accounted for. The Subgrantee must have sufficient information concerning the system of accounting used and the entity directly responsible for maintaining the system to assure compliance with the Act. The following information is provided by the Louisiana Department of Labor to establish fiscal responsibility.

1. Name, Title, and Address of the **Chief Financial** Officer of the organization:

2. Will accounting system be directly maintained by the Subgrantee?

A. YES

_____ NO Who will maintain the system? _____

3. Are you familiar with Grantee audit and reporting requirements?

A. YES

B. NO

4. Description of accounting system. (Indicate if system is manual or automated and how it will meet record keeping, reporting, and accountability requirements of the Grantee. Use additional sheet if necessary.) Automated, Accrual accounting system.

5. Certification:

I certify that this report is complete and correct and that the responsibility for maintaining the accounting system to comply with the requirements has been accepted by the designated entity. I understand that final responsibility for the fiscal operation of the **subgrant** rests with the Subgrantee.

Signature of Subgrantee's Contracting Officer

Date

Charlotte Randolph

Typed Name

Lafourche Parish President

Title

ITEM 38

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTIONS

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants' responsibilities.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) Have not within a three-year period preceding this **application/proposal** had one or more public transaction (Federal, State, or local) terminated for cause of default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Charlotte Randolph, Lafourche Parish President

Name and Title of Authorized Representative

Signature

Date

ITEM 38

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS. GRANTS. LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal contract, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, renewal, amendment, or modification of any Federal contract, loan, or cooperative agreement.
- (2) If any **funds** other than Federal appropriated funds have been paid or will be paid to any person for **influencing** or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, contracts under grants, loans, and cooperative agreements) **and** that all* Subgrantee's shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Lafourche Parish Council

Subgrantee/Contractor Organization

Charlotte Randolph

Name of Certifying Official

Signature

Date

ITEM 39

On motion by _____, and seconded by _____, the following resolution was introduced and adopted:

**RESOLUTION NO. 07-
RESOLUTION REQUESTING THE ADMINISTRATION TO LOOK INTO
PURCHASING NEW GRASS CUTTING TRACTORS.**

WHEREAS, the Lafourche Parish Council has made and continues to make requests to many different area agencies, political subdivisions, and to the Parish Administration; and

WHEREAS, it is the duty upon oath that the Governing Authority address concerns dealing with the general health, safety and welfare of the citizens and for the best interest of the Parish; and

WHEREAS, there is an abundance of land owned and/or maintained by the Parish that requires grass maintenance; and

WHEREAS, the technology equipped on newer lawn and grass tractors provide for more efficient productivity; therefore,

BE IT RESOLVED, by the Lafourche Parish Council convened in regular session on _____, 2007, that it does hereby request the Administration to look into purchasing new grass cutting tractors.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Lafourche Parish Department of Public Works; and the Office of the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

- YEAS:**
- NAYS:**
- ABSENT:**

And the resolution was declared adopted this ___ day of _____, 2007.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. 07, adopted by the Assembled Council in Regular Session on _____, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 40

On motion by Mr. _____, and seconded by Mr. _____, the following resolution was introduced and adopted:

RESOLUTION NO. 07-

RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT(LADOTD) TO PERFORM A TRAFFIC STUDY REGARDING THE INSTALLATION OF A TRAFFIC LIGHT AND A TURNING LANE ON LOUISIANA HIGHWAY 1 SOUTHBOUND AT THE T- BOIS BRIDGE.

WHEREAS, the Lafourche Parish Council has made and continues to make requests to the Louisiana Department of Transportation and Development which concerns the general health, safety and welfare of the citizens of the Parish; and

WHEREAS, it is the duty upon oath that the Governing Authority and State Officials to address concerns dealing with the general health, safety and welfare of the citizens and said resolution satisfies this criteria; and

WHEREAS, on the Louisiana Highway 308 side of the T-Bois Bridge turning lanes and a traffic control device are present; therefore,

BE IT RESOLVED, by the Lafourche Parish Council convened in regular session on _____, that it does hereby submit a request to the Louisiana Department of Transportation and Development (LADOTD) to perform a traffic study regarding the installation of a traffic light and a turning lane on Louisiana Highway 1 Southbound at the T-Bois Bridge.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Louisiana Department of Transportation and Development, Post Office Box 94245, Baton Rouge, Louisiana 70804-9245; Lafourche Parish Department of Public Works; and the Office of the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

- YEAS:
- NAYS:
- ABSENT:

And the resolution was declared adopted this _____ day of _____.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 40

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. 07-____ adopted by the Assembled Council in Regular Session on _____, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS _____, DAY OF

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

ITEM 41

On motion by _____, seconded by _____, the following resolution was introduced and adopted;

RESOLUTION NO. 07-__

RESOLUTION OBJECTING TO THE PASSAGE OF HOUSE RULE NO. 2421 THE CLEAN WATER RESTORATION ACT OF 2007.

WHEREAS, House Rule No. 2421 is set to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.; and,

WHEREAS, eliminating the word “navigable” from the definition of “Waters in the U.S.” places all bodies of water, even drainage ditches under federal jurisdiction; and,

WHEREAS, Many areas of Lafourche and all Coastal Communities, utilize gravity and natural bodies of water for drainage. Having this fall under federal jurisdiction would require federal permits for simple tasks such as clearing ditches and outfall canals traditionally under local jurisdiction. This would create great hardship and significantly increase costs of basic drainage maintenance if permits and Corps of Engineer involvement would become necessary; and,

WHEREAS, The corps of engineers is overwhelmed now, including them in basic drainage maintenance nationally would bring these simple projects to a standstill; therefore,

THEREFORE, BE IT RESOLVED, by the Lafourche Parish Council convened in regular session on _____, 2007, that it does hereby object to the passage of House Rule No. 2421 The Clean Water Restoration Act of 2007.

BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to the Lafourche and Terrebonne Parishes Legislative Delegations; Police Jury Association of Louisiana; NACO; all Louisiana Parish Councils/Police Juries; and the Office of the Parish Administrator.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the resolution was declared adopted this __day of _____, 2007.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**

ITEM 41

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Resolution No. 07-____ adopted by the Assembled Council in Regular Session on _____, 2007, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS ____,
DAY OF _____, 2007.

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**