

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

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

AGENDA FOR MEETING TO BE HELD: Tuesday, July 13, 2004

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

TIME: 7:00 p.m.

CALL TO ORDER: Mr. Lindel Toups, Chairman

ROLL CALL: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Toups, Chairman
Mr. L. Phillip Gouaux, II
Mr. Brent Callais, Co-Chair
Mr. Daniel Lorraine

PRAYER: Mr. Michael Matherne

PLEDGE OF ALLEGIANCE: Mr. Tommy Lasseigne

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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. June 8, 2004, Regular Session.
2. June 22, 2004, Special Session.
3. July 2, 2004, Special Session.

B. APPROVAL OF MINUTES AND RECOMMENDATIONS OF COMMITTEE MEETINGS:

4. June 8, 2004, Solid Waste Subcommittee (P. GOUAUX, CHAIR)
5. June 22, 2004, Public Works and Solid Waste Committee (M. ATZENHOFFER, CHAIR)
6. June 22, 2004, Board of Appointment and Permits Committee (M. MATHERNE, CHAIR)
7. June 22, 2004, Finance and Legislative Committee (T. LASSEIGNE, CHAIR)

C. PRESIDENT'S REPORT:

8. Presentation of monthly report on parish finances as required by the Lafourche Parish Home Rule Charter.

D. EXECUTIVE SESSION:

9. Motion to enter into Executive Session to discuss the following matters:
 - a) Pending litigation regarding the Lafourche Parish Council v. Charles Banta, III, et al, No. 97953.
 - b) Personnel matters relating to the Community Action Program.
10. Motion to reconvene the meeting and take any action necessary regarding the Executive Session.

E. PUBLIC HEARING & ORDINANCES FOR RATIFICATION:

11. ORDINANCE to accept into the parish system the subdivision known as the "Roz Properties Subdivision", Ward 10, District 9 of Lafourche Parish.
(D. LORRAINE)

12. ORDINANCE to accept into the parish system the subdivision known as the "Re-subdivision of a Portion of the James and Elizabeth McGrew Property", Ward 3, District 5 of Lafourche Parish. (M. ATZENHOFFER)
13. ORDINANCE to accept into the parish system the subdivision known as the "Prairie Ridge Subdivision Phase II", Ward 3, District 5 of Lafourche Parish. (M. ATZENHOFFER)
 - a) AMENDMENT - to include a twenty-five (25) miles per hour speed limit on said streets; requiring the placement of "Speed Limit" signs; and providing penalties for the violations thereof. (The speed limit was inadvertently left out of the ordinance.)
14. ORDINANCE to accept into the parish system the subdivision known as the "Revision of Lot 10A into Lots 10A-1 and 10A-2 being a Portion of Lot 10 of White Rose Plantation Addendum No. 1", Ward 4, District 5 of Lafourche Parish. (M. ATZENHOFFER)
15. ORDINANCE to accept into the parish system the subdivision known as the "Lot "A" of the Remainder of Tract "C" being a Lot and Tract of Land Owned by The Legendre Land Corporation", Ward 1, District 2 of Lafourche Parish. (M. DELATTE)
16. ORDINANCE to accept into the parish system the subdivision known as the "Eugene Chiasson Subdivision", Ward 10, District 9 of Lafourche Parish. (D. LORRAINE)
17. ORDINANCE to accept into the parish system the subdivision known as the "Leopold Perque Subdivision", Ward 6, District 2 of Lafourche Parish. (M. DELATTE)
18. ORDINANCE to authorize the Parish President to enter into an Act of Cash Sale to acquire property in the facilitation of the FY02 LCDBG Program, Morristown Community Sewer System, Raceland, Louisiana; and to execute any and all documents pertaining to said Act of Cash Sale. (L. TOUPS FOR ADMINISTRATION)
19. ORDINANCE establishing "Light Traffic Only" and up to a Five (5) Ton load limit on Old Safari Heights, Ward 10, District 9 of Lafourche Parish; authorizing the installation of "Light Traffic Only" and "Load Limit" signs; and authorizing the penalties of violators thereof. (B. CALLAIS & D. LORRAINE)

20. ORDINANCE amending the Code of Ordinances of the Lafourche Parish Council to state that all Lafourche Parish Council meetings begin at 6:00 p.m. (D. LORRAINE)
21. ORDINANCE making it mandatory for a Parish Monitor to monitor all Oil and Gas Construction and/or Fabrication of oil and gas pipelines, gas compressor station, dredging of oil field canals and any other oil and gas project that shall have an impact on Lafourche Parish. This Parish Monitor will be selected by the Administration and funded by the contractor performing the work; and authorized the Parish President to sign any and all necessary documents. (P. GOUAUX)
22. ORDINANCE abolishing Drainage District No. 13, Fisheries Advisory Board, Sewerage District No. 8, Sewerage District No. 9, Coastal Commission of Louisiana, Community Mental Health, South East Louisiana Emergency Medical Council, Emergency Medical Service Council, Government Complex Commission, and Boat Launch Search Committee, and directing all duties and responsibilities of the listed Boards/Agencies be transferred to the Administrative Offices of the Lafourche Parish Government; and to further abolish the South Lafourche Airport District due to the Greater Lafourche Port Commission acquiring the Airport. (B. CALLAIS)
23. ORDINANCE amending Section 17:41, "Stopping, Standing or Parking Prohibited, in Specified Places", of Sub-chapter "A of Chapter 17 of the code of Ordinances of the Lafourche Parish Council, to prohibit parking directly across from a driveway or within ten (10') feet of the driveway on the same side of the street, to prohibit parking within forty (40') feet of an intersection and on all unimproved shouldered streets; and providing for penalties for violations thereof. (P. GOUAUX)
24. ORDINANCE to provide for a **transfer** of appropriation for the 2004 Maintenance and Operations Budget for the Lafourche parish Council as provided for by Article V of the Lafourche Parish Home Rule Charter. (L. TOUPS FOR ADMINISTRATION)
 - a) AMENDMENT - change the word 'transfer' to 'supplemental'.
25. ORDINANCE to amend Section 2:207 of Chapter 2 of the Code of Ordinances to adopt a modified version of the State Travel Guideline for reimbursement of travel expenses for parish officials and employees. (M. MATHERNE)
26. ORDINANCE to accept into the parish system West 107th Place, Ward 10, District 8 of Lafourche Parish. (B. CALLAIS)

27. ORDINANCE to appoint a Board of Commissioners to serve as the governing authority of Fire Protection District No. 8-A of the Parish of Lafourche, State of Louisiana, and designating the domicile of said district. (M. DELATTE)
28. ORDINANCE to appoint a Board of Commissioners to serve as the governing authority of Fire Protection District No. 8-B of the Parish of Lafourche, State of Louisiana, and designating the domicile of said district. (M. DELATTE)
29. ORDINANCE to appoint a Board of Commissioners to serve as the governing authority of Fire Protection District No. 8-C of the Parish of Lafourche, State of Louisiana, and designating the domicile of said district. (M. DELATTE)

F. PROPOSED ORDINANCES:

30. Proposed Ordinance to accept into the parish system the subdivision known as the Rachel Plantation, Addendum No. 3, Phase D, Ward (11), District (4) of Lafourche Parish. (T. LASSEIGNE)
31. Proposed Ordinance to accept into the parish system the subdivision known as the Algiers Commercial Subdivision, Addendum No. 1, Ward (1), District (1) of Lafourche Parish. (T. WILLIAMS)
32. Proposed Ordinance to accept into the parish system the subdivision known as the Lee Leger Subdivision, Ward (10), District (9) of Lafourche Parish. (D. LORRAINE)
33. Proposed Ordinance to accept into the parish system the subdivision known as the James Plaisance Subdivision, Ward (3), District (5) of Lafourche Parish. (M. ATZENHOFFER)
34. Proposed Ordinance to accept into the parish system the subdivision known as the Gaspard Subdivision, Ward (9), District (7) of Lafourche Parish. (P. GOUAUX)
35. Proposed Ordinance to accept into the parish system the subdivision known as the Redivision of 1.118 Acres into Lots A, B, & C, Belonging to Jason Rodrigue, Ward (9), District (7) of Lafourche Parish. (P. GOUAUX)
36. Proposed Ordinance to accept into the parish system East 96th Place, Ward (10), District (9) of Lafourche Parish, State of Louisiana. (D. LORRAINE)

37. Proposed Ordinance to authorize the Parish President to sign a surface lease agreement with the Lafourche Parish School Board Office for the use of the Raceland Landfill property for a period of six (6) years with an option to renew for an additional five (5) years. (L. TOUPS FOR ADMINISTRATION)
38. Proposed Ordinance to amend and re-enact Section 15:26(A) of Sub-Chapter "B" of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council as it pertains to the rules and regulations governing fireworks in Lafourche Parish. (D. LORRAINE)
39. Proposed Ordinance authorizing the Parish to acquire ownership of the Chackbay 101 Project from Lafourche Parish Drainage District No. 6 ; and authorizing the Parish President to sign any necessary documents. (M. DELATTE)
40. Proposed Ordinance establishing a speed limit of fifteen (15) miles per hour on East 97th Street, Ward 10, District 9 of Lafourche Parish; requiring the placement of "Speed Limit", "Speed Checked by Radar", and "Caution Children at Play" signs; and providing penalties for the violations thereof. (D. LORRAINE)
41. Proposed Ordinance authorizing the Parish to acquire property from Mrs. Betty H. Boudreaux and Mrs. Dolly H. Gisclair for the Veteran's Memorial District in order to build a monument at a cost of ____; and authorizing the signing of all pertinent documents associated with the ordinance. (B. CALLAIS, D. LORRAINE & P. GOUAUX)

G. RESOLUTIONS:

42. Resolution requesting the Lafourche Parish District Attorney to approve the hiring of Mr. Lloyd Bourgeois to defend the Parish regarding the lawsuit entitled, "Donna Cheramie Cromer, et al v. South Lafourche Levee District, et al, No. 96920, at a rate of \$125.00 per hour. (ADMINISTRATION)
43. Resolution hiring Picciola and Associates for engineering services for Phase 4 of Road Sales Tax District No. 2; and authorizing the Parish President to sign all necessary documents. (B. CALLAIS)
44. Resolution authorizing JBC/AIA a notice to proceed on the design of the Galliano Branch Library at the old Wal-mart Building; and authorizing the Parish President to sign all necessary documents. (B. CALLAIS)
45. Resolution requesting the Louisiana Department of Transportation and Development to install three additional 45 miles per hour speed limit signs along Louisiana Highway 1 when leaving the Golden Meadow Corp limits heading south and two additional signs when heading north. (D. LORRAINE)

46. Resolution amending the Lafourche Parish Procurement Policy for all Louisiana Community Development Block Grant (LCDBG) Programs for the parish. (SOUTH CENTRAL PLANNING)
47. Resolution requesting the United States Coast Guard and other necessary entities establish maritime curfews on the following seven parish and state bridges in the South Lafourche community: Golden Meadow Lift Bridge, Galliano Pontoon Bridge, South Lafourche Lift Bridge, Cote Blanche Pontoon Bridge, Cut Off Lift Bridge, Larose Pontoon Bridge, and the Larose Draw Bridge from 7:00 a.m. to 8:30 a.m., 2:00 p.m. to 4:00 p.m., and from 4:30 to 5:30 p.m. on Monday through Friday during the regular school year to enhance vehicular traffic flow and allow maritime traffic to be informed of established curfews to assist them in traveling up and down Bayou Lafourche. (D. LORRAINE, B. CALLAIS & P. GOUAUX)
48. Resolution rescinding Resolution 04-033 as it pertained to authorizing the Parish President to negotiate all contracts pertinent to the Lafourche Parish Government; to execute and administer contracts for equipment, professional services, material, supplies and other services up to amounts budgeted in the approved maintenance and operating budget; to execute and administer contracts for projects, capital improvements and related professional services as specifically identified in the approved maintenance and operating budget or as subsequently authorized by the Council; to prepare, and submit for approval to the Council contracts for projects, capital improvement sand related professional services not specifically identified in the Maintenance and Operating Budget; and to execute and administer contracts for projects, capital improvements and related professional services not specifically identified in the approved Maintenance and Operating Budget when approved by the Council. (D. LORRAINE)
49. Resolution authorizing the Parish President to negotiate contracts pertinent to the Lafourche Parish Government and thereafter present the final contract to the Council for final ratification. (D. LORRAINE)
50. Resolution approving the Parish President's appointment for Director of Department of Economic Development. (ADMINISTRATION)

H. MOTIONS:

51. Motion to award the bid to the Daily Comet as the Official Journal for the Lafourche Parish Council for the period of July 1, 2004 to June 30, 2005 at the rate of \$5.50 per square for 100 words.
52. Motion to approve the appointment of a Head Start Director. (T. WILLIAMS)

I. MONTHLY ENGINEERING REPORTS:

53. Presentation of planned, presently on going, recently completed or other projects by appropriate engineering firms engaged by the Parish.

J. LEGAL ADVISOR REPORT:

54. Motion to relinquish time to the Lafourche Parish Legal Advisor. (L. TOUPS)

K. PUBLIC WISHING TO ADDRESS THE COUNCIL:

L. ADJOURN:

On motion by _____, seconded by _____ and with no further business, the Lafourche Parish Council meeting of July 13, 2004 adjourned at _____.

LAFOURCHE PARISH COUNCIL
JULY 13, 2004
2/3 AGENDA

1. RESOLUTION as a declaration of public policy, the Lafourche Parish Council does hereby rescind Resolutions 03-035 and 03-053; and does direct the Community Action Agency Board to amend its Bylaws removing all reference to an Administering Board and any restructuring suggested in the 2003 amendment of the Bylaws; to remove any requirement that the Agency Board “shall participate jointly and concur formally in the selection of the senior staff position;” and to return to its status as an Advisory board in both name and function. (T. WILLIAMS)
2. RESOLUTION as a declaration of public policy, the Lafourche Parish Council does hereby confirm the authority of the Lafourche Parish President, the Parish Administrator and the Director of the Department of Community Services to supervise, manage and when necessary direct the Community Action Agency and its Executive Director. (T. WILLIAMS)
3. PROPOSED ORDINANCE amending the Code of Ordinances of the Lafourche Parish Council to standardize the organizational structure of local agencies and certain special districts that have Boards or Committees. (T. WILLIAMS)
4. RESOLUTION authorizing the Parish President to negotiate the terms for the relocation of the Bayou Blue Public Library with business interests having property rights with landowners at the location described in the resolution; and authorizing the Parish President to approve the negotiated contract and sign on behalf of the parish any and all documentation accepting assistance of business interests in expediting the relocation of the Bayou Blue Public Library. (M. ATZENHOFFER)
5. RESOLUTION accepting ownership of whatever rights the Louisiana Department of Transportation and Development may own in and to the aforesaid portion of the State Routes described in the resolution as a binding agreement between the State of Louisiana and the Parish of Lafourche provided the Department of Transportation and Development complies with the conditions described herein within five (5) years of the adoption of this resolution (Highway 652, 653, 657, & 307). (ADMINISTRATION)

6. RESOLUTION accepting ownership of whatever rights the Louisiana Department of Transportation and Development may own in and to the aforesaid portion of the State Routes described in the resolution as a binding agreement between the State of Louisiana and the Parish of Lafourche provided the Department of Transportation and Development complies with the conditions described herein within five (5) years of the adoption of this resolution (Leeville and Fourchon area). (ADMINISTRATION)
7. RESOLUTION requesting an opinion from the Lafourche Parish District Attorney to clarify existing parish and state laws concerning roadside vending. (M. ATZENHOFFER)