

**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, August 10, 2004

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

TIME: 5:30 p.m.

CALL TO ORDER: Mr. Lindel Touns, Chairman

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

PRAYER: Mr. Michael Delatte

PLEDGE OF ALLEGIANCE: Mr. Phillip Gouaux

* * * * *

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. July 13, 2004, Regular Session.
2. July 19, 2004, Special Session.
3. July 27, 2004, Special Session.

B. APPROVAL OF MINUTES AND RECOMMENDATIONS OF COMMITTEE MEETINGS:

4. July 27, 2004, Public Works and Solid Waste Committee. (M. ATZENHOFFER, CHAIR)
5. July 27, 2004, Board of Appointment and Permits Committee.(M. MATHERNE, CHAIR)
 - a) Discussion concerning the Lafourche Game and Fish Commission. (P. GOUAUX)
6. July 27, 2004, Finance and Legislative Committee. (T. LASSEIGNE, CHAIR)

C. PRESENTATIONS:

7. Candidate(s) for Congress to address the Council.
8. Mr. Joey Richard, Postlethwaite and Netterville to present the 2003 Audit.
9. Presentation from Members of the Legislative Delegation regarding issues addressed at the 2004 Legislative Session that effect Lafourche Parish.
10. Mr. Tim Osborn with NOAA to address the Council regarding elevation survey's performed in Lafourche Parish.
11. South Central Planning and US Army Corps of Engineers regarding EPA Sewer Grant application. (KEVIN BELLANGER, SCP & SHAWN VICKNAIR, COE)

D. PRESIDENT'S REPORT:

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

E. PUBLIC HEARING & ORDINANCES FOR RATIFICATION:

13. 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) DEFERRED FROM 07-13-04 LPC MEETING
14. 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) DEFERRED FROM 07-13-04 LPC MEETING
15. ORDINANCE ordering and calling a special election to be held in the Parish of Lafourche, State of Louisiana, to vote upon the adoption of a proposed revised Home Rule Charter; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. (L. TOUPS)
16. ORDINANCE instituting a moratorium on all future Heliports from the Intracoastal Canal South to Louisiana Highway 3161 (Cote Blanche connection) and from Louisiana Highway 1 West to the South Lafourche Levee District's levee, consisting of all property adjacent to Louisiana Highway 3235 until December 31, 2006.
(B. CALLAIS)

F. PROPOSED ORDINANCES:

17. 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)
18. 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)
19. 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)
20. 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)

21. Proposed Ordinance to accept into the parish system the subdivision known as the Gaspard Subdivision, Ward (9), District (7) of Lafourche Parish. (P. GOUAUX)
22. 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)
23. Proposed Ordinance to accept into the parish system East 96th Place, Ward (10), District (9) of Lafourche Parish, State of Louisiana. (D. LORRAINE)
24. 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)
25. 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)
26. 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)
27. 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)
28. 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)
29. Proposed Ordinance establishing 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) (DEFERRED FROM JULY 13 LPC MEETING)
30. Proposed Ordinance establishing a 35 miles per hour speed limit on all motor vehicles traveling on Martinez Road, Ward 11, District 4 of Lafourche Parish; and providing for the necessary signs and penalties. (T. LASSEIGNE)

31. Proposed Ordinance rescinding Ordinance No. 3440 and establishing a 25 miles per hour speed limit on all motor vehicles traveling on Ozia Skyline Drive, Ward 11, District 5 of Lafourche Parish; and providing for the necessary signs and penalties. (M. ATZENHOFFER)
32. Proposed Ordinance creating Special Service District No. 1 of the Parish of Lafourche, State of Louisiana; designating its boundaries, jurisdiction, authority, the governing authority of the District and the general powers of the District; and providing for other matters necessary in connection therewith. (B. CALLAIS FOR ADMINISTRATION)
33. Proposed Ordinance ordering and calling a special election to be held in the Parish of Lafourche, State of Louisiana to authorize the rededication of the proceeds of a special 2.64 mill tax in the Parish. (B. CALLAIS FOR ADMINISTRATION)
34. Proposed Ordinance ordering and calling a special election to be held in Special Service District No. 1 of the Parish of Lafourche, to authorize the rededication of the proceeds of the tax heretofore collected by Road Lighting District No. 1 so that such proceeds may also be used to abate and/or control public nuisances in the rural areas of the parish. (B. CALLAIS FOR ADMINISTRATION)
35. Proposed Ordinance authorizing the Parish President to administer and sign leases as it pertains to polling precincts. (L. TOUPS FOR ADMINISTRATION)
36. Proposed Ordinance providing for the consolidation of certain precincts; to designate polling locations therefore; and to further specify the effective dates of same. (L. TOUPS FOR ADMINISTRATION)
37. Proposed Ordinance accepting into the parish system a subdivision known as the "Legendre's Bon Vivant Subdivision", Ward (1), District (2) of Lafourche Parish. (M. DELATTE)
38. Proposed Ordinance accepting into the parish system a subdivision known as the "Resubdivision of Tract "B" into Tracts "B-1" and "B-2" and Tract "A-1" being a Lot Extension Belonging to Carroll Dantin", Ward (1), District (2) of Lafourche Parish. (M. DELATTE)
39. Proposed Ordinance enacting Section 15:25 of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council stating that it shall be unlawful for any person to urinate in public, in view of the public, on the outsides of public buildings, or in any place other than in the proper facilities; and to provide for penalties thereof. (P. GOUAUX)

40. Proposed Ordinance granting authorization to the parish to clean, sweep and/or dig roadside ditches in Lafourche Parish; and providing penalties for those who interfere with said parish work. (D. LORRAINE)
41. Proposed Ordinance amending and re-enacting Section 2:200(A) of Sub-Chapter “C” of Chapter 2 of the Code of Ordinances as it pertains to going to two (2) Council meetings per month, eliminating all Standing Committees. (B. CALLAIS)
42. Proposed Ordinance amending and re-enacting Section 24:700 of Chapter 24 of the Code of Ordinances as it pertains to creating a liaison for Lafourche Parish Water District No. 1. (B. CALLAIS)
43. Proposed Ordinance authorizing a lease renewal contract with the Town of Lockport for the Lockport Library and to authorize the Parish President to sign the lease renewal and any and all accompanying documentation. (P. GOUAUX)
44. Proposed Ordinance to rescind Ordinance No. 3408 and enact a new ordinance that would allow the Lafourche Parish Public Library to accept a lease offer from the Lafourche Parish Recreation District No. 2 for a plot of land in Raceland for a period of fifty (50) years with an option to renew for an additional fifty (50) years at a sum of \$100 per year in order to construct a permanent building not to exceed \$680,000; and to authorize the signing of all pertinent documents associated with the ordinance. (M. ATZENHOFFER)
45. Proposed Ordinance regulating a speed limit of 45 mph on all motor vehicles traveling on a certain section of Ridgefield Road, Ward (2), District (1) of Lafourche Parish; and providing for the necessary signs and penalties. (T. WILLIAMS)
46. Proposed Ordinance forming a Subcommittee to research the feasibility of upgrading, expanding, or building a new Detention Center for Lafourche Parish; and providing for the date of final recommendation. (B. CALLAIS)
47. Proposed Ordinance providing for a Supplemental Appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council. (L. TOUPS FOR ADMINISTRATION)
48. Proposed Ordinance amending the Code of Ordinances of the Lafourche Parish Council as it pertains to the Regulations of Mobile Home Parks in Lafourche Parish. (L. TOUPS FOR PLANNING COMMISSION)
49. Proposed Ordinance rescinding Ordinance No. 3430 that established a “No Parking Fire Lane” on the left side of Belle Terre Drive, Ward (6), District (2) of Lafourche Parish. (M. DELATTE)

50. Proposed Ordinance amending and re-enacting Section 24:925(D)(1) of Chapter 24 of the Code of Ordinances to change the definition of “hotel” on the hotel/motel tax levied by the Lafourche Parish Tourist Commission.(L. TOUPS FOR ADMINISTRATION)

G. RESOLUTIONS:

51. Resolution authorizing the payment of legal fees to Mr. Leslie Clement, as recommended by District Attorney Camille Morvant, accrued by Lafourche Parish Sewerage District No. 2 for litigation against TESI.. (M. MATHERNE)
52. Resolution hiring Coastal Environmental to perform an elevation study and preliminary sketch and planning for a pump station in the Hollywood Canal in Bayou Blue; and authorizing the Parish President to sign all necessary documentation. (M. ATZENHOFFER)
53. Resolution encouraging the continued efforts of SLEC, NSU and their consultants, engineers, and architects for the development of the Advanced Technology Center Project and its related programs and any other tasks deemed appropriate to the furtherance of economic development in Lafourche Parish and the diversification of our area’s existing industries into a knowledge/technology based economies. (D. LORRAINE, T. LASSEIGNE & M. ATZENHOFFER)
54. Resolution authorizing the Administration to proceed with negotiations regarding moving the Thibodaux Branch Library and the Library Administrative Offices to the Advanced Technology Center on the Nicholls State University campus; and authorize the Parish President to sign any necessary documents. (M. ATZENHOFFER)
55. Resolution requesting the Louisiana Department of Transportation and Development to lower the speed limit to 35 miles per hour along Louisiana Highway 1 from the overpass to the Shop Rite in Mathews, Louisiana. (L. TOUPS)
56. Resolution approving a servitude agreement between Lafourche Parish and Daniel Kraemer/Judy Babin Kraemer; and authorizing the Parish resident to sign, execute and administer said agreement. (L. TOUPS FOR ADMINISTRATION)
57. Resolution approving a servitude agreement between Lafourche Parish and Claudet Enterprises, LLC; and authorizing the Parish resident to sign, execute and administer said agreement. (L. TOUPS FOR ADMINISTRATION)
58. Resolution approving a servitude agreement between Lafourche Parish and Jimmy Badaeux/Brenda Badaeux; and authorizing the Parish resident to sign, execute and administer said agreement. (L. TOUPS FOR ADMINISTRATION)

59. Resolution approving a servitude agreement between Lafourche Parish and Frank Stouder II/Robin Stouder Carroll (East 25th Street); and authorizing the Parish resident to sign, execute and administer said agreement. (L. TOUPS FOR ADMINISTRATION)
60. Resolution approving a servitude agreement between Lafourche Parish and Frank Stouder II/Robin Stouder Carroll (East 37th Place); and authorizing the Parish resident to sign, execute and administer said agreement. (L. TOUPS FOR ADMINISTRATION)
61. Resolution authorizing the firm of Joseph B. Caillouet Architects, (JBC/AIA), a notice to proceed on the design of the Ward 6 Library to be constructed near the Sixth Ward Middle School located on the Choctaw Road; and authorizing the Parish President to sign all necessary documents. (M. DELATTE)
62. Resolution authorizing the hiring of Joseph B. Caillouet Architects, (JBC/AIA), to proceed with the design of the South Lafourche Annex Building; and authorizing the Parish President to sign all necessary documents. (B. CALLAIS)
63. Resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to clean the roadside ditches and culverts along Louisiana Highway 307 from its junction with Highway 20 to the East Chackbay Water Tower, Ward 6 of Lafourche Parish. (M. DELATTE)
64. Resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to sweep the ditches and cut the grass along Louisiana Highway 3235, Cut Off, Ward 10, District 8 of Lafourche Parish. (B. CALLAIS)
65. Resolution offering the Lafourche Parish Council's support for the "Lafourche on the Move" Project and specifically approving Cooperative Endeavor Agreements with all ten (10) Senior Citizen Centers to enhance the effort; and authorizing the Parish President to sign any and all documents in furtherance of this effort. (ADMINISTRATION)
66. Resolution approving the contract amendment offered by the State of Louisiana (CFMS #603282, Amendment 2) to implement said programs 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. (ADMINISTRATION)

67. Resolution approving the contract amendment offered by the State of Louisiana (Grant #31, 17.258, 17.260, & 17,259) to implement said programs 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. (ADMINISTRATION)
68. Resolution authorizing the Parish President to sign, execute and administer any contract(s) and/or all relevant documents in order to purchase an excavator for the Region "D" Barn. (B. CALLAIS & D. LORRAINE)

H. MOTIONS:

69. Motion to create a Subcommittee to revise the Lafourche Parish Code of Ordinances. (P. GOUAUX)
70. Motion to grant or deny the following variance requests: (ADMINISTRATION)
 - a) **Allen Thibodaux Lot Extensions** – Variance not to extend West Avenue B (cross street) due to an existing shed located on the slab. (Ward 10, District 8) The Planning Commission **recommended** the variance contingent upon Lot LE X (cross street lot extension) being taken out and should there be future development, then the cross street has to be extended. (B. CALLAIS)
 - b) **Dugas Subdivision, Addendum No. 2, Phase 1** – Variance from minimum lot size being less than 12,000 square feet, lot frontage being less than 60 feet, side yard dimensions being less than 5 feet. (Ward 2, District 4) The Planning Commission **recommended** the variance to the Council. (T. LASSEIGNE)
 - c) **East 49th Street, Addendum No. 1** – Variance to allow the minimum road right of way to be 40 feet instead of the required 50 feet so that the proposed development would remain consistent with the existing subdivision. Also a variance to allow no aggregate shoulders is being requested so that the proper drainage ditches (existing) will fit in the road right of way. (Ward 10, District 8) The Planning Commission **recommended** the variance to the Council. (B. CALLAIS)
 - d) **Bayou Meadows Subdivision, Addendum No. 2** – Variance to allow the minimum road right of way to be 40 feet instead of the required 50 feet so that the proposed development would remain consistent with the existing subdivision. (Ward 10, District 8) The Planning Commission **recommended** the variance to the Council. (B. CALLAIS)

I. MONTHLY ENGINEERING REPORTS:

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

J. LEGAL ADVISOR REPORT:

72. 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 August 10, 2004 adjourned at _____.

LAFOURCHE PARISH COUNCIL
AUGUST 10, 2004
2/3 AGENDA

1. RESOLUTION approving contract(s) with Reeco Rentals for the rental of a trencher to bury water and electrical lines going tot he new gas and diesel tanks and pumps at the Ward 11 Barn; and authorizing the Parish President to sign, execute and administer said contract(s). (ADMINISTRATION)

2. PROPOSED ORDINANCE authorizing an amendment to the existing contract (Ordinance No. 2769) between Lafourche Parish and River Birch Incorporated, amending the gate fee to the rate of twenty-four dollars (\$24.00) per ton, which said rate shall be adjusted annually on the contract anniversary date by the consumer price index specified in the contract, the term to begin on August 1, 2004 and terminate on July 31, 2009, with an option to renew for an additional five (5) years; and authorizing the Parish President to sign said amendment. (P. GOUAUX)