

**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
GOVERNING AUTHORITY**

AGENDA FOR MEETING TO BE HELD: Tuesday, November 9, 2004

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

TIME: 5:30 p.m.

CALL TO ORDER: Mr. Lindel Toups, Chairman

ROLL CALL: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Dr. 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 Delatte

PLEDGE OF ALLEGIANCE: Mr. Phillip Gouaux

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

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

A. APPROVAL OF MINUTES:

1. October 12, 2004, Regular Session.
2. October 26, 2004, Special Session.

B. APPROVAL OF MINUTES AND RECOMMENDATIONS OF COMMITTEE MEETINGS:

3. August 9, 2004 and September 28, 2004, Solid Waste Subcommittee. (P. GOUAUX, CHAIR)
4. October 26, 2004, Public Works and Solid Waste Committee. (M. DELATTE, CHAIR)
5. October 26, 2004, Board of Appointment and Permits Committee. (M. MATHERNE, CHAIR)
 - a) Motion to ratify the appointment of the members to the Detention Center Improvement Subcommittee and set the first meeting date. (B. CALLAIS)
6. October 26, 2004, Finance and Legislative Committee. (T. LASSEIGNE, CHAIR)

C. PRESIDENT'S REPORT:

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

D. PRESENTATIONS:

8. Mr. Kevin Belanger, Chief Executive Officer with South Central Planning and Development Commission, to address the Council regarding a Rational Speed Study and an Environmental Protection Agency (EPA)Waste Water Grant.

E. PUBLIC HEARING & ORDINANCES FOR RATIFICATION:

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

9. ORDINANCE forming a Subcommittee to rewrite the Code of Ordinances for the Lafourche Parish Council; and further providing for the date of final recommendation. (P. GOUAUX)
10. ORDINANCE accepting into the parish system the subdivision known as the "H. O. Land Company," Ward 4, District 7 of Lafourche Parish. (P. GOUAUX)

11. ORDINANCE accepting into the parish system the subdivision known as the "Tracts A, B, and C, redivision of property belonging to the Lillian Usie Guidry Estate," Ward 11, District 5 of Lafourche Parish. (M. ATZENHOFFER)
12. ORDINANCE accepting into the parish system the subdivision known as the "Crape Myrtle Place," Ward 1, District 2 of Lafourche Parish. (M. DELATTE)
13. ORDINANCE amending Ordinance No. 3426 as it pertains to the Subdivision Regulation Committee in order to extend the final recommendation date to no later than November 2005. (M. ATZENHOFFER)
14. ORDINANCE establishing a 15 miles per hour speed limit on all motor vehicles traveling on the parish portion of Eagle Island Road; authorizing the installation of signs; and providing for penalties thereof. (M. ATZENHOFFER)
15. ORDINANCE abolishing Lafourche Parish Drainage District No. 12 (Raceland), rescinding and repealing an ordinance adopted by the Police Jury of the Parish of Lafourche, State of Louisiana, on May 15, 1913, providing for the creation of the District; and providing for other matters necessary in connection therewith. (M. ATZENHOFFER)
16. ORDINANCE to adopt the 2005 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)

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

F. PROPOSED ORDINANCES:

17. PROPOSED ORDINANCE authorizing the Parish President to enter into a contract with SWDI, LLC, the term to begin on January 1, 2005 and terminate on December 31, 2009; authorizing the Parish President to enter into amended Intergovernmental Agreement with the Towns of Lockport and Golden Meadow relative to said contract; and authorizing the Parish President to sign said contract with SWDI, LLC and said amended Intergovernmental Agreements with the Towns of Lockport and Golden Meadow. (P. GOUAUX)
18. PROPOSED ORDINANCE enacting Sections 15:36, 15:37, 15:38, and 15:39 of Sub-Chapter "C", entitled Peddlers, Hawkers, and Sales from Portables Displays and Vehicles, of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council as it pertains to peddler licenses and mobile seafood vendors. (M. ATZENHOFFER)

19. PROPOSED ORDINANCE to repeal Sub-Chapter “C” of Chapter 2 entitled “Administration and Organization” of the Code of Ordinances of the Lafourche Parish Council as it pertains to provisions governing operations of the parish governing body; and to further restructure and enact new provisions regarding said matter. (P. GOUAUX)
20. PROPOSED ORDINANCE to authorize a second sale of adjudicated property by sealed bids to sell adjudicated property located at Lot 127 Guichetville Subdivision, Raceland, Louisiana; to reject all bid(s) made under the original authority to proceed to sale made via Ordinance No. 3200 in 2003; to authorize and approve an Act of Cash Sale; and to authorize the Parish President to sign all necessary documents related to said sale; and to provide certified copies to all involved parties. (L. TOUPS FOR ADMINISTRATION)
21. PROPOSED ORDINANCE rescinding Ordinance No. 3463 as it pertains to a moratorium on all future aviation facilities from the Intracoastal Canal South to Louisiana Highway 3161 (Cote Blanche Connection) and from Louisiana Highway 1 West to the South Lafourche Levee District Levee, consisting all property adjacent to Louisiana Highway 3235 until December 31, 2005. (T. LASSEIGNE)
22. PROPOSED ORDINANCE establishing a load limit of ten (10) tons on Brocato Lane, Triple Oaks Drive, and Williams Street, Ward 3, District 6 of Lafourche Parish; requiring the placement of “Load Limit” signs; and providing for penalties for violations thereof. (L. TOUPS)

G. RESOLUTIONS:

23. RESOLUTION approving a servitude agreement between Lafourche Parish and Ray Anthony Kraemer and Brenda Stevens Hebert for a twenty foot drainage and maintenance servitude plus the width of the ditch, Councilmatic District 5; and authorizing the Parish President to sign, execute administer said agreement. (ADMINISTRATION)
24. RESOLUTION approving a servitude agreement between Lafourche Parish and Frankie J. Falgout for a twenty foot drainage and maintenance servitude, plus the width of the ditch, Councilmatic District 7; and authorizing the Parish President to sign, execute and administer said agreement. (ADMINISTRATION)
25. RESOLUTION approving a servitude agreement between Lafourche Parish and Milton and Ann Rogers for a thirty foot drainage and maintenance servitude and a fifteen foot wide temporary servitude, Councilmatic District 8; and authorizing the Parish President to sign, execute and administer said agreement. (ADMINISTRATION)

26. RESOLUTION approving a servitude agreement between Lafourche Parish and Jules Gerard Folse and Shirley Bellanger Folse for a twenty foot drainage and maintenance servitude, plus the width of the ditch, Councilmatic District 6; and authorizing the Parish President to sign, execute and administer said agreement. (ADMINISTRATION)
27. RESOLUTION approving a servitude agreement between Lafourche Parish and Craig Peter Folse and Lawanna Sanders Folse and Wendell James Hohensee and Jo Ann Dantin Hohensee for a twenty foot drainage and maintenance servitude, plus the width of the ditch, Councilmatic District 6; and authorizing the Parish President to sign, execute and administer said agreement. (ADMINISTRATION)
28. RESOLUTION approving a servitude agreement between Lafourche Parish and Wilbert J. Kraemer and Paulette Tiser Kraemer for twenty foot drainage and maintenance servitude plus the width of the ditch, Councilmatic District 5; and authorizing the Parish President to sign, execute and administer said agreement. (ADMINISTRATION)
29. RESOLUTION certifying to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2004. (ADMINISTRATION)
30. RESOLUTION requesting the Louisiana Department of Transportation and Development to perform drainage improvements from the beginning of Louisiana Highway 657 running parallel with the Intracoastal Waterway east to its intersection with East 2nd Street in Larose, Ward 10 of Lafourche Parish. (P. GOUAUX)
31. RESOLUTION approving a contract between Lafourche Parish Government and Sharon's Lawn Service for maintenance work to be performed at the Lafourche Parish Health Unit; and authorizing the Parish President to sign, execute and administer said contract and all relevant documents. (ADMINISTRATION)
32. RESOLUTION approving a contract for Actuarial Services of Casualty Actuarial Consultants, Inc. (CACI) to analyze Workers' Compensation assessed to individual funds of the Parish; ratifying the 2004 contract; and authorizing the Parish President or her designee to sign, execute and administer said contract and all relevant documents to analyze the workers' compensation assessments. (ADMINISTRATION)

33. RESOLUTION requesting an opinion from the Lafourche Parish District Attorney to clarify the difference of the Lafourche Parish Council required to approve and authorize the Parish President to execute and sign all parish contracts and not be required to approve and authorize the execution and signature of contracts entered into by parish boards. (M. ATZENHOFFER)
34. RESOLUTION requesting an opinion from the Lafourche Parish District Attorney to determine whether or not the Lafourche Parish Water District No. 1 and the developer of the Tina Guidry lots on Lake Long Drive in Bayou Blue can cost share the expenses of installing water lines; and if not, what procedure should be taken in order to recoup public funds. (M. ATZENHOFFER)
35. RESOLUTION providing for canvassing the returns and declaring the result of the special election held in the Parish of Lafourche, State of Louisiana, on November 2, 2004, to vote upon the adoption of a proposed revised Home Rule Charter.
(L. TOUPS) (TOTALS WILL BE FILLED ONCE VERIFIED BY CLERK OF COURT)
36. RESOLUTION providing for canvassing the returns and declaring the result of the special election held in the Parish of Lafourche, State of Louisiana, on November 2, 2004, to authorize the rededication of the proceeds of a special 2.64 mills tax in the Parish. (L. TOUPS) (TOTALS WILL BE FILLED ONCE VERIFIED BY CLERK OF COURT)
37. RESOLUTION providing for canvassing the returns and declaring the result of the special election held in Special Service District No. 1, Parish of Lafourche, State of Louisiana, on November 2, 2004, to authorize the levy of a special tax therein.
(L. TOUPS) (TOTALS WILL BE FILLED ONCE VERIFIED BY CLERK OF COURT)
38. RESOLUTION authorizing the Parish President to execute, administer and sign an agreement with Coastal Securities, LP, to serve as underwriters for proposed bonds for Road Sales Tax Districts 3, 5 and 6 and to assist the Parish as it deems necessary regarding said matter. (T. LASSEIGNE)
39. RESOLUTION rescinding in its entirety Resolution No. 04-151 that stated the following adjusted millage rate(s) be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said parish for the year 2004 for the purpose of raising revenue. (T. LASSEIGNE)
40. RESOLUTION rescinding in its entirety Resolution No. 04-152 that stated the taxing authority voted to increase the millage rate(s), but not in excess of the prior year's maximum rate(s), on all taxable revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. (T. LASSEIGNE)

H. DISCUSSIONS:

41. Discussion concerning the composition and terms of office of the Lafourche Parish Library Board of Control. (M. ATZENHOFFER)
- a) MOTION to advertise the number of vacancies determined by the Council. (M. ATZENHOFFER)
 - b) RESOLUTION requesting that the Lafourche Parish Library Board of Control not conduct any business other than the day-to-day operations until the board vacancies are filled. (M. ATZENHOFFER)
 - c) RESOLUTION requesting that JBC/AIA cease all planning and designs on all library facilities until the board vacancies are filled and a notice to proceed by resolution is received. (M. ATZENHOFFER)

I. MONTHLY ENGINEERING REPORTS:

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

J. LEGAL ADVISOR REPORT:

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

K. PUBLIC WISHING TO ADDRESS THE COUNCIL:

L. ADJOURNMENT:

On motion by _____, seconded by _____ and with no further business, the Lafourche Parish Council meeting of November 9, 2004 adjourned at _____.

LAFOURCHE PARISH COUNCIL
NOVEMBER 9, 2004
TWO-THIRDS AGENDA

MOTIONS:

1. MOTION to ratify the appointment of Ms. Jamie Liner as the Town of Golden Meadow's representative on the Lafourche Parish Tourist Commission Board due to the resignation of Roland Cheramie. (L. TOUPS)

RESOLUTIONS:

2. RESOLUTION allowing the Department of Mass Communications at Nicholls State University to utilize the PEG channel on Charter Communications on Tuesdays and Thursdays from 4:00 pm - 5:00 pm. (M. MATHERNE)
3. RESOLUTION approving a contract with Classic Business for service agreements for copy machines located at the Barrios Building and at various Head Start locations; and authorizing the Parish President to sign, execute and administer said contracts. (ADMINISTRATION)
4. RESOLUTION approving the contract amendment offered by the State of Louisiana (CIAP Cooperative Agreement No. 2513-02-05, Amendment 3) to implement said program in accordance with state requirements; and authorizing the Parish President to sign, execute and administer said contract and all associated documents. (ADMINISTRATION)
5. RESOLUTION approving a contract to A & L Roofing, Inc. in the amount of \$39,5000 for the roof replacement to the Library Headquarters at 303 West 5th Street, Thibodaux, with funding to come from the Library Board of Control; and authorizing the Parish President to sign all necessary documents once moneys have been transferred from library funds. (ADMINISTRATION)
6. RESOLUTION approving a contract with Dantin Chevrolet, Golden Motors, and Lafourche Ford for the purchases of three (3) new trucks for use in the Building and Maintenance and Recreation Departments; and authorizing the Parish President or her designee to sign, execute, and administer said contracts and all relevant documents. (ADMINISTRATION)
7. RESOLUTION approving a contract with Bayou Office Machine for service agreements for copy machines located at the Sondra Barrios Center; and authorizing the Parish President to sign, execute, and administer said contract. (ADMINISTRATION)

PROPOSED ORDINANCE:

8. PROPOSED ORDINANCE prohibiting “Loitering” on West 58th Street and West 59th Street, Ward 10, District 8 of Lafourche Parish. (B. CALLAIS)