

JANUARY 27, 2004  
RACELAND, LOUISIANA

STATE OF LOUISIANA  
PARISH OF LAFOURCHE

THE LAFOURCHE PARISH COUNCIL FINANCE & LEGISLATIVE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JANUARY 27, 2004, AT 6:00 P.M., IN THE COUNCIL ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Lindel Toups, Chairman of the Lafourche Parish Council, stated that the Finance and Legislative Committee was ready for the transaction of business at 6:08 P.M.

Council Member Michael Matherne led the Council and members of the audience in an opening prayer. The Council then recited the Pledge of Allegiance led by Council Member Mr. Phillip Gouaux. Proceedings of the meeting were called to order with the following:

**PRESENT:** Mr. Tyrone Williams  
Mr. Mike Delatte  
Mr. Michael Matherne  
Mr. Tommy Lasseigne—Chairman  
Mr. Mark Atzenhoffer  
Mr. Lindel Toups  
Mr. L. Phillip Gouaux, II—Chairman  
Mr. Brent Callais  
Mr. Daniel Lorraine

**ABSENT:** None

Mr. Lindel Toups also announced that Parish President, Mayor Bouzigard, Mr. Mounic, and the Department of Public Works Director Mr. Ray Cheramie were also present at tonight's committee meetings.

**APPOINTMENTS/ELECTIONS FOR THE 2004 FISCAL YEAR**

The first item (1) on the agenda was a motion to appoint the Chairman of the Finance and Legislative Committee for the Fiscal Year 2004. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to nominate Mr. Tommy Lasseigne. The Committee approved the appointment of **Mr. Tommy Lasseigne** by *unanimous concession*.

The next item (2) on the agenda was a motion to appoint the Co-Chairman of the Finance and Legislative Committee for the Fiscal Year 2004. A motion was offered Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to nominate Mr. Phillip Gouaux. The Committee approved the appointment of **Mr. Phillip Gouaux** by *unanimous concession*.

## RESOLUTIONS

The next item (3) on the agenda was a resolution requesting an opinion from Camille A. Morvant, II, District Attorney, on the legality of merging Drainage District #1 with the South Lafourche Levee District. A motion was offered by Mr. Brent Callais and seconded by Mr. Lindel Toups. Mr. Callais said that members of the Levee District have discussed drainage issues with him and expressed a possible interest of merging the two organizations and requested an opinion from the District Attorney to see if the merger was legal. Mr. Daniel Lorraine discussed the issue of merging the two organizations. An **amendment** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais to also request an opinion from the Bonding Attorney, Lonnie Bewley, who drew up the districts. He also requested that the Bonding Attorney receive the ordinance that created Drainage District #1, which include the boundary lines. Mr. Mark Atzenhoffer clarified that all Mr. Callais was requesting was an opinion to see if the merger was legal. He added that who has or spends the money is not the issue. A lengthy discussion ensued, with several councilmen addressing the issue of merging the two organizations, the possible effects that each district will face if such a merger were to take place, and also the functions of each district. Mr. Gouaux discussed the issue of the council sending requests to the District Attorney for legal opinions. Mr. Callais stressed that he was only asking for an opinion on the legality of merging the two districts. Chairman Lasseigne added that if the opinion states that the merger is not legal, the issue is moot. Next, Mr. Lorraine relinquished his time to Mr. Ed Diez, who addressed the committee on behalf of the Town of Golden Meadow. Mr. Diez began by asking questions about the potential merger. He noted that neither district passed a resolution requesting that this merger take place. He informed the committee of his findings from research done on the possible merger and also discussed the potential problems of such a merger. The committee **approved** the **amendment** by a vote of nine (9) yeas and zero (0) nays. The committee **recommended approval** of a resolution requesting an opinion from Camille A. Morvant, II, District Attorney, on the legality of merging Drainage District #1 with the South Lafourche Levee District and an opinion from the Bonding Attorney by a vote of nine (9) yeas and zero (0) nays.

### **RES. NO. 04-007                      DA OPINION MERGING OF DD#3 WITH SLLD**

The next item (4) on the agenda was a resolution requesting an opinion from Camille A. Morvant, II, District Attorney, on the legality of merging Fire District #3 with the Ambulance Service District #1. A motion was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. An **amendment** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** requesting an opinion from the Bonding Attorney. Chairman Lasseigne stated that any discussion should be based on the issue of the committee receiving an opinion. The committee **recommended approval** of said resolution as amended by a vote of nine (9) yeas and zero (0) nays.

### **RES. NO. 04-008                      DA OPINION MERGING OF FD#3 WITH AMB SER DIST #1**

The next item (5) on the agenda was a resolution supporting the Louisiana Sugar Cane Industry. A motion was offered by Mr. Phillip Gouaux and **unanimously seconded** to adopt said resolution.

### **RES. NO. 04-009                      SUPPORT LA SUGAR CANE INDUSTRY**

## MOTIONS

The next item (6) on the agenda was a motion to discuss agenda deadlines which is 12:00 noon one week before the meeting. Mr. Phillip Gouaux mentioned that this deadline was used by the last administration and said that this deadline gives the Council Clerk enough time to put the agenda together and mail to the councilmen for their review. He discussed the need for councilmen to receive their agenda as soon as possible, so as to research any necessary item. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Daniel Lorraine that agenda deadlines be set

at 12:00 noon one week before the meeting. Mr. Lorraine stated that all councilmen should meet the deadline when submitting agenda items, whether items are sent via e-mail or over the phone. He informed Mr. Gouaux that an ordinance was already passed setting a deadline for the submission of agenda items. Chairman Lasseigne suggested that council minimize or eliminate the use of 2/3 Agendas, unless it is an emergency or genuinely forgotten and is of importance.

The next item (7) on the agenda was a motion to discuss the salary of the Interim Council Clerk. Mr. Daniel Lorraine complimented Miss Stacie Gravois, the Interim Council Clerk, on a job well done. He added that the council unintentionally discussed her salary at the full council meeting. Mr. Lorraine said that Miss Gravois should receive some type of compensation for her work as the Interim Council Clerk. A motion was offered by Mr. Daniel Lorraine that the administration look into compensating the Interim Council Clerk for her work. Mr. Mark Atzenhoffer said that if Miss Gravois were to be compensated at this time, the employment agency would receive a portion of the pay instead of being given all to her. He suggested that the administration find a position within the parish for her to be hired and have the council provide her with a bonus after being hired by the parish. Mr. Toups also mentioned the possibility of the administration hiring Miss Gravois as a parish employee, preferably as the assistant to the newly appointed Council Clerk. Mr. Lorraine *withdrew* his first motion. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Lindel Toups, and *carried* to give the Parish President the authority to handle the issue of compensating the Interim Council Clerk by a vote of nine (9) yeas and zero (0) nays.

The next item (8) on the agenda was a motion to discuss the Road Sales District Engineering contracts with the Lafourche Parish Council. Mr. Phillip Gouaux mentioned that during the last administration, both the council and the administration terminated some engineering contracts and mentioned the need to clean the slate and begin new projects. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer that the council terminate all current engineering contracts for the RSTD. Mr. Daniel Lorraine referred a parish engineer that is currently in litigation. He added that the council needed to consider that there is a possibility that whatever work was done by this engineer would need to be paid for by the council. Mr. Michael Matherne was told that there are four outstanding engineer contracts. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Daniel Lorraine requesting an opinion from the District Attorney on the legality of terminating engineering contracts, and upon a favorable opinion, that these Road Sales District Engineering contracts be terminated by the administration. Discussion ensued regarding a parish road list. Mr. Lasseigne mentioned that contracts could probably not be terminated, by resolution or ordinance, if there was no cause. Next, a discussion ensued regarding the percentages an engineer receives from the state versus the council and the possibility of the parish being cited by the auditors. A discussion ensued to clarify the purpose of the motion. Chairman Lasseigne clarified that contracts could not be terminated, as stated by a recent ruling of the Appellate Court. He stressed the importance of abiding the law to avoid any future lawsuits. The committee *approved* the motion requesting an opinion from the District Attorney on the legality of terminating engineering contracts, and upon a favorable opinion, that these Road Sales District Engineering contracts be terminated by the administration by a vote of nine (9) yeas and zero (0) nays.

The next item (9) on the agenda was a motion to discuss the bonding of money to continue the road projects. Mr. Phillip Gouaux mentioned that the RSTD have accumulated some monies and said there are other ways to bond out money to continue with the process of fixing the roads in the parish. Chairman Lasseigne referred to a transmission sent by Mr. Bewley which presents a proposed schedule of the pay-outs and refinancing of bonds to show that there is a potential for the parish to get the projects on the roads. Mr. Gouaux proposed that once the master list is accumulated, that the councilmen get with the Department of Public Works to prioritize road work needed in their district. He added that council could use the cost estimate of completion to try to see where the monies are and see what monies can be used. Mr. Phillip Gouaux mentioned that monies will probably be bonded out and suggested that the councilmen begin prioritizing the roads in their

district. Mr. Lorraine requested that President Randolph provide to the council at the next meeting the figures of RSTD 2, 3, 5, & 6. He mentioned that RSTD 2 has cash monies and suggested that the council come up with a project for RSTD 2 with those monies. A discussion ensued regarding the Road Royalty Fund and the issue of fixing all the roads in the parish.

### **STAFF REPORT**

The next item (10) on the agenda was a presentation of financial report by the individual in charge or individual with knowledge of present and ongoing matters and the highest ranking individual internally to whom the Finance Staff/Employees report to in the Lafourche Parish Finance Department, (that person prior to reporting to the President) as required by the Lafourche Parish Home Rule Charter, Article II, Section B, Item 2, which states: "The president shall submit monthly reports to the governing authority on parish finances and may require any parish officer or employee to report to the governing authority when necessary for the proper administration of the parish. President Randolph stated that a complete financial report will be given at the February 10<sup>th</sup> meeting, including Mr. Lorraine's request of figures for RSTD 2, 3, 5, & 6. Mr. Lorraine asked that the Parish President meet with the Bonding Attorney to get a figure of what amount can be bonded out.

### **OTHER BUSINESS**

The next item (11) on the agenda was Public to address the Committee. Mr. Beasley discussed the issue of refinancing the bonds while the interest rates were still low. Mr. Roy Gisclair spoke on the issue of the South Lafourche Levee District and Drainage District No. 1 and briefly discussed the history and progress of the Districts. Discussion ensued on the spending of funds by these districts.

The next item (12) on the agenda was any other business. Mr. Phillip Gouaux requested that the council hold the Public Works and Solid Waste committee meeting first since there are employees on the parish payroll and audience members with problems with Public Works who address this committee. A discussion ensued regarding who has the authority to set the order of the committee meetings. Mr. Brent Callais mentioned that the committee meetings for the month of February falls on Mardi Gras day. A discussion ensued which date to hold the committee meetings. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** to hold the next Lafourche Parish Committee meetings on **Monday, March 1, 2004** by a vote of nine (9) yeas and zero (0) nays.

### **ADJOURN**

On motion by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and with no further business the Lafourche Parish Council Legislative and Finance Committee of January 27, 2004, was adjourned at 7:10 P.M.

**TOMMY LASSEIGNE, CHAIRMAN  
LAFOURCHE PARISH FINANCE  
AND LEGISLATIVE COMMITTEE**

**STACIE GRAVOIS, INTERIM COUNCIL CLERK  
LAFOURCHE PARISH**