

LAFOURCHE PARISH HOME RULE
CHARTER REVISION COMMISSION
BARRIOS CENTER
RACELAND, LOUISIANA

The Charter Revision Commission assembled at its regular meeting place, Barrios Center, 1612 HWY, 182, Suite 100 Raceland, Louisiana on Tuesday April 28, 2004 at 6:30 P. M.

Meeting was called to order by Co-chairman Danny Mayet.

A prayer was given by Joseph Fertitta, followed by the Pledge of Allegiance to the Flag in unison.

Upon roll call, the following members were present:

Mary Kitchen (came in late)
Sharleen Hotard
Elizabeth Breaux
Charles Beasley
O. E. Monnier, Jr.
Danny Mayet
Henry Lafont, Jr.
John Plaisance (came in late)
Joseph "Joe" Mickles
Walter Lanier, Jr.
Joseph "Joe" Fertitta

A motion was made by Henry Lafont and seconded by Joe Mickles that the minutes of April 14, 2004 and April 20, 2004 be adopted. The approval of the minutes was delayed until later during the meeting.

The following questions were submitted to the Councilmen for presentation at this meeting.

- (1) Should the Parish President be a non-voting member of the Council? Do you favor term limits? If your answer to this question is YES, please advise if you favor the term limits provision in the proposed charter? If your answer to the above question is NO, please advise what term limit provision would you recommend?
- (2) Should the Parish President have the authority to call an emergency meeting of the Council?
- (3) Should the charter have a provision for compelling a member of the Council to attend a meeting to obtain a quorum when the member is absent without just cause?
- (4) Should the Council hire employees other than the Council Clerk to be employees of the Legislative Branch (rather than use employees of the Executive Branch)? If the answer to this question is YES, should the Council fix the salaries of unclassified employees of the Legislative Branch by ordinance? If the answer to the above question is NO, please advise how you would recommend that the salaries of unclassified employees of the Legislative Branch be fixed?
- (5) Should the Parish President fix the salaries of unclassified employees of the Executive Branch by ordinance? If the answer to this question is NO, please

advise how you would recommend that the salaries of the unclassified employees of the Executive Branch be fixed?

- (6) Should the charter have a provision that sets forth the manner in which the Council shall determine whether the absences of a member of the Council from Council meetings are with or without just cause?
- (7) Should the charter have provisions setting out procedures to follow when questions arise about the temporary or permanent inability of a member of the Council or the Parish President to serve in office?
- (8) Do you agree that the “President shall sign contracts for projects, equipment, professional services and materials and equipment specifically identified in the approved operating and capital improvement budgets or as specifically identified by ordinance” and that contracts “for projects, equipment, or materials and supplies not so identified shall be submitted to the Council for approval”? If your answer to this question is NO, please advise how you would recommend that contracts be approved and/or signed?
- (9) Do you agree that the salary of the Parish President should be \$65,000.00 per annum? If your answer to this question is NO, please advise what salary you would recommend. Do you agree that the salaries of the members of the Council should be \$12,000.00 per annum? If your answer to this question is NO, please advise what salary you would recommend.
- (10) Do you agree that the above salaries for the President and the Council should become payable beginning January of 2005? If your answer to this question is NO, please advise when you would recommend that these salaries would go into effect?
- (11) Do you agree that the President and the member of the Council should receive a two percent (2%) raise in salary commencing with January of 2006 and continuing through January of 2023?
- (12) Do you agree that if there is a vacancy in the office of the President that the Administrator should assume the office until replaced by election? If your answer to this question is NO, please advise who you would recommend of fill a vacancy in the office of the President?

Henry Lafont stated that in addition to the questions submitted to the Councilmen, he would like to know the following:

1. Should the president be part of the Council
2. Term Limits
3. Salaries
4. Number of Councilmen

Vice-chairman Danny Mayet recognized councilman of District 9, Daniel Lorraine. Mr. Lorraine addressed the commission pertaining to the questions submitted to him as follows:

1. The Council should have the right to amend the budget;
2. The Council Clerk should have secretaries;
3. The Council should approve department heads by 2/3 vote;
4. Parish President’s salary should be raised;
5. Would agree with 12 year term limit;

6. Prefers 9 councilmen
7. Pay raises should take effect next term;
8. Agrees with 2% annual raise in salary being in the Charter;
9. Council chairman should fill the vacancy for Parish President;
10. Parish President or a representative from administration should be at every Council meeting;
11. Parish President should be a non-voting of the Council

Vice-chairman noted that chairman Plaisance arrived at 6:40 P.M.

Chairman Plaisance recognized Lindel Toups, councilman of District 6. Councilman Toups responded to the questions as follows:

1. In case of a vacancy for the Parish President administration should take over.
2. Does not agree with term limits;
3. Salary increase should not go into effect immediately;
4. Agrees with 2% annual raise in salary.
5. Would like to see councilman's salary increased to \$1,200.00;
6. No comment on disability;
7. Councilman should be able to terminate a department head with 2/3 vote.
8. Parish President should be able to call an emergency meeting;
9. Councilmen hire council clerk any other help should come form administration;
10. Councilmen determines the salary of Council Clerk;
11. Contracts should be signed by Parish President;
12. Contracts for investments should be approved by council;
13. Councilmen should have an internal auditor that works for the council;
14. There should be a parish wide recreational director;
15. It is not necessary to limit departments in the Charter.

Chairman Plaisance recognized Mark Atzenhoffer, Council of District 5. Councilman Atzenhoffer responded to questions as follows:

The Parish President should not be a member of the Council. Atzenhoffer cited different sections of the Charter which would have to be amended. Therefore, it would not be necessary to have the Parish President as a member of the Council.

District Attorney Camille "Cam" Morvant explained why he felt the Parish President should be on the Council. Mr. Morvant stated, as District Attorney his powers, duties and responsibilities are found in Title 16, Section II, subsection E, of the Louisiana Revised Statutes. This statute refers to the governing authority. When the Parish President was removed from the Council, the President was no longer a member of the governing authority. Therefore, if the Parish President is not a member of the Council, Mr. Morvant said that he would have to ask the legislators to include, the parish president, as a body part of the governing authority so that his office could represent the Parish President. Presently there is a question as to whether or not the District Attorney can represent the administration. There are lawsuits on roads sales tax revolved around when the Parish President was on the Council and then the President was removed from the council. The tax was never amended to change after the Parish president was not longer on the Council. There is also a problem with the President's authority dealing with monies. When the President was no longer a part of the Council confusion arose as to who would sign the checks. If the president is not a part of the Council, all ordinances referring to the President as part of the Council or a member of the Council will have to be amended or ask the local represent to change Revised Statute Title 16, Section II, subsection E.

Councilman Atzenhoffer continued his address to the Commission, responding to the questions.

1. Term limits should be 2;
2. He does not agree with at large seat;

3. The Parish President should not be on the Council;
4. President can have veto powers
5. Parish President's salary should be \$65,000.00;
6. Agrees with 2% annual salary increase;
7. Against force to attend a meeting to obtain a quorum;
8. Provisions for disability should not be in the Charter;
9. Council should elect the person to fill a vacancy for the Parish President
10. A vote of 2/3 plus 1 should be required for removal of department head.

Chairman Plaisance recognized George Randolph. Mr. Randolph addresses the commission requesting that there could be one sentence stating that the Parish president shall be a non-voting member of the governing authority. This would not take any power away from the Parish Council.

Chairman Plaisance recognized Councilman from District 8, Brent Callias. Mr. Callias responded to the questions as follows:

1. Opposed to having the Parish President on the Council;
2. Does not have a problem with Parish President being a non-voting member of the Council;
3. Agrees with term limits;
4. Agrees that Parish President can call an emergency meeting;
5. Does not agree with compelling a councilman to attend a meeting to obtain a quorum;
6. President's salary should be \$50,000.00;
7. Annual salary raises should go into effect next term;
8. Councilman's salary should be \$15,000.00 with annual 2 % raise and Parish President should be 5% to take effect in 2008.
9. Administration should fill vacancy for Parish President;
10. Number of councilmen should be 9;
11. Temporary disability should be by 2/3 vote provided for by ordinance not in the Charter;
12. 2/3 vote required to remove department head;
13. Parish President should sign contracts for day to day operation;
14. Major contracts should be approved by the Council;
15. Parish President should handle investment.

Chairman Plaisance recognized councilman from District 4, Tommy Lasseigne. Mr. Lasseigne responded to the questions as follows:

1. Agrees with Parish President being a non-voting member of the Council;
2. Favor term limits. 8 yrs President, 12 yrs Councilman;
3. Does not agree with compelling councilman to attend a meeting to obtain a quorum;
4. Council should have the authority to hire their employee with parameters.
5. Parish President can fix salaries of unclassified employees in the Executive Branch by ordinance;
6. Agrees that the Charter should have a provision to determine if a member of the Council is absent from a meeting for just cause;
7. Agrees that president should sign contracts;
8. Large contracts should be by resolution or ordinance;
9. Agrees that President's salary should be \$65,000.00;
10. 2% annual salary increase should take effect next term;
11. Vacancy for Parish President should be filled by a person elected by the Council;

A motion by Henry Lafont, and seconded by Elizabeth Breaux that the Parish President be listed as a member of the Council, that the President be a non voting member; the president shall not constitute toward a number that would make or break a quorum; that the president not preside over the meetings.

Role Call Vote

Mary Kitchen	Yes
Sharleen Hotard	No
Elizabeth Breaux	Yes
Charles Beasley	Yes
O. E. Monnier, Jr.	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Yes
John Plaisance	Yes
Joseph "Joe" Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph "Joe" Fertitta	Yes

The Commission proposed changes in Article II and Article III next meeting for Wednesday April 28, 2004, at 6:30 P.M..

On motion by Danny Mayet and seconded by Charles Beasley and without objection, the meeting was adjourned at 8:55 P.M..

MARY KITCHEN, Assistant Secretary

JOHN J PLAISANCE, II, Chairman