

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 May 4, 2004, at 6:37 P. M.

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

A prayer was given by Walter Lanier, Jr., followed by the Pledge of Allegiance to the Flag by O. E. Monnier, Jr.

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  
John Plaisance (came in late)  
Joseph "Joe" Mickles  
Walter Lanier, Jr.  
Joseph "Joe" Fertitta

Absent:

Henry Lafont, Jr.

Vice Chairman Mayet noted that Mary Kitchen arrived at 6:40 P.M.

A motion was made by Charles Beasley and seconded by O. E. Monnier, Jr. that the minutes of April 14, 2004, be adopted. Without objection, the motion was adopted.

April 28, 2004, minutes were amended as follows:

1. To include the approval of the minutes of April 20, 2004 as amended;
2. To correct response No. 3, by Daniel Lorraine to reflect that he stated a department head should be removed by 2/3 vote;
3. To correct the date of the next meeting from April 28, 2004 to May 4, 2004.

A motion by Joseph Mickles and seconded by Elizabeth Breaux, that the minutes of April 28, 2004 be adopted as amended. Without objection the motion was adopted.

Vice-Chairman Mayet recognized Councilman Tyrone Williams to address the commission regarding questions submitted to the councilman. Councilman Williams declined.

Vice-Chairman Mayet recognized Kirk Cheramie. Mr. Cheramie questioned District Attorney, Camille Morvant's statement pertaining to representing the Parish President and if there will be a definition for Governing Authority. Judge Lanier explained that there is a the phrase governing authority is in the Charter and defined in the constitution.

The commission discussed Article III, "Organization, Structure and Distribution of Powers and Functions".

Judge Lanier submitted proposed changes to Article III, Section 2, Paragraph B, (3). as follows: see attachment

A motion by Judge Lanier and seconded by Joseph Fertitta, that the proposed amendment to Article III, Section 2, Paragraph B, (3), be adopted. Without objections the motion was adopted.

The commission discussed Article III, Paragraph E, “Qualifications of A candidate for Election as a Member of the Council”.

A motion by Elizabeth Breaux and seconded by Sharleen Hotard that Article III, Paragraph E, be adopted with amendment to come pertaining to qualification by a convicted felon.

Role Call Vote

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

The Commission discussed Article III, Paragraph F .

A motion by Walter Lanier, Jr. and seconded by Charles Beasley, that the last sentence be amended to and a comma after Just cause and add “or a change cause by reapportionment”.

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	Yes
Charles Beasley	Yes
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Absent
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

Vice-Chairman Mayet noted that John Plaisance came in at 7:15 P. M. .

The Commission discussed Article III, Section 2, Paragraph G, “Term of Office”.

A motion by Walter Lanier, Jr. and seconded by Sharleen Hotard to delete term limits.

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	No

Charles Beasley	Yes
Octave “Butch” Monnier	No
Danny Mayet	No
Henry Lafont, Jr.	Absent
John Plaisance	No
Joseph “Joe” Mickles	No
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

The motion to delete term limits failed.

Article III, Section 2, Paragraph G, was amended without objection to read as follows:

The President and each other Council member shall be elected for a term of four (4) years. The terms shall begin 12:01 A.M. January 1, in the year following the election. A person who has served as President or a member of the Council for more than two and one-half (2 ½), consecutive terms, not including any terms served prior to the member taking office January, 2008, shall not be eligible to be elected Council member for the succeeding term.

A motion by Joseph Mickles and seconded by John Plaisance, that Article III, Section 2, Paragraph G, be adopted as amended.

#### Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	No
Elizabeth Breaux	Yes
Charles Beasley	Yes
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Yes
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

The Commission discussed Article III, Section 2, Paragraph H.

Paragraph H, subsection 3 was amended to read as follows:

A majority of the voting members of the Council (5) shall constitute a quorum. No ordinance of the Council shall be valid or binding unless voted upon favorably by at least a majority of the voting members, (5), except when a two-thirds (6) or larger (7) vote is required. Notwithstanding the foregoing, procedural motions may be adopted by a favorable vote of a majority of the voting members present and voting.

A motion by John Plaisance and seconded by Elizabeth Breaux, that Article III, Section 2, Paragraph H, subsection (3), be adopted as amended.

#### Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	Yes

Charles Beasley	Yes
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Yes
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

The Commission discussed Article III, Section 2, Paragraph H, Subsection (5), “Compelling an Absentee Council Member to attend a Meeting”.

A motion by Walter Lanier, Jr. and seconded by Elizabeth Breaux, that Article III, Section 2, Paragraph H, Subsection (5), be adopted.

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Abstained
Elizabeth Breaux	Yes
Charles Beasley	Yes
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	No
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	No

The Commission discussed Article III, Section 2, Paragraph H, Subsection (6), “Other Council Rules and Order of Business”.

Without abjection, Article III, Section 2, Paragraph H, Subsection (6), “Other Council Rules and Order of Business”, was amended to read as follows:

In all other matters, the Council shall determine its own rules and order of business by ordinance.

Vice Chairman Mayet turned the meeting over to Chairman Plaisance.

The Commission discussed Article III, Section 2, Paragraph I, “Investigations”.

Article III, Section 2, Paragraph I, Investigations was amended to read as follows:

The Council, or any committee thereof when authorized by the Council, shall have the power to investigate the official conduct of any employee, department, office or political subdivision under its jurisdiction, or any official, officer or employee thereof /for the purpose of conducting any such investigation or any hearing therein, any voting member of the council shall have power to administer oaths and compel the attendance of witnesses and the production of evidence. Any person refusing to obey an order, if lawfully given, shall upon conviction, be subject to punishment as established by ordinance. The Council shall not have the power to investigate the official conduct of the President or its other member except as specifically provided for in this Charter.

A motion by Joseph Mickles and seconded by Elizabeth Breaux that Article III, Section 2, Paragraph I, be adopted as amended.

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	Yes
Charles Beasley	No
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Yes
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A motion by Joseph Mickles and seconded by Joseph Fertitta that the Title of Article III, Section 2, Paragraph J, be amended to read “Council Clerk, Fiscal Officer and Legislative Employees”.

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	Yes
Charles Beasley	Yes
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Yes
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A motion by Danny Mayet and seconded by Joseph Mickles, that Article III, Section 2, Paragraph K, “Illustrative List of the Legislative Powers of the Council”, be deleted with the understanding that the right to expropriate be added to ordinances..

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	Yes
Charles Beasley	Yes
Octave “Butch” Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Yes
Joseph “Joe” Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A Motion by Walter Lanier, Jr. and seconded by Elizabeth Breaux, that Article III, Section 2, Paragraph L, now Paragraph K “Prohibitions”, that Subsection 4 be amended to read as follows:

No former member shall hold any compensated employment with the Parish until 2 years after the expiration of the term for which elected to the Council.

Roll Call Vote

Mary Kitchen	Yes
Sharleen Hotard	Yes
Elizabeth Breaux	Yes
Charles Beasley	Yes
Octave "Butch" Monnier	Yes
Danny Mayet	Yes
Henry Lafont, Jr.	Absent
John Plaisance	Yes
Joseph "Joe" Mickles	Yes
Walter Lanier, Jr.	Yes
Joseph "Joe" Fertitta	Yes

Next meeting will be held Tuesday May 18, 2004, at 6:30 P.M..

On motion by Joseph Mickles and seconded by Charles Beasley and without objection, the meeting was adjourned at 8:47 P.M..

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MARY KITCHEN, Assistant Secretary

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JOHN J PLAISANCE, II, Chairman