

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 18, 2004, at 6:30 P. M.

Meeting was called to order by Chairman John Plaisance at 6:32 P.M.

A prayer was given by John Plaisance, followed by the Pledge of Allegiance to the Flag by Danny Mayet.

Upon roll call, the following members were present:

Mary Kitchen
Sharleen Hotard
Elizabeth Breaux
Charles Beasley
O. E. Monnier, Jr.
Danny Mayet
Henry Lafont, Jr.
John Plaisance

Walter Lanier, Jr.
Joseph "Joe" Fertitta

Absent:

Joseph "Joe" Mickles

A motion was made by Charles Beasley and seconded by Sharleen Hotard, that the minutes of May 4, 2004, be adopted. Without objection, the motion was adopted.

Sharleen Hotard resigned as secretary. Chairman Plaisance accepted Ms. Hotard's resignation.

A motion by Walter Lanier, Jr. and seconded by Elizabeth Breaux, nominating Mary Kitchen as secretary. Without objection the motion was adopted.

A motion by Danny Mayet and seconded by Charles Beasley, that the agenda be amended to discuss Secretarial Services. Without objection the motion was adopted.

A motion by Danny Mayet and seconded by Charles Beasley, that a request for secretarial assistance be made to the Council. Without objection the motion was adopted.

Chairman Plaisance recognized Mr. Curole. Mr Curole stated that the Council provided for a contract person to assist the commission at the first meeting of the council.

A motion by Henry Lafont and seconded by Charles Beasley that the Commission go back to the agenda. Without objection the motion was adopted.

The commission discussed Article III, Section 2, Paragraph L, previously Paragraph M, " Inquiry into Absences with or without Just Cause; Determination of the Temporary or Permanent Inability of a Council Member to Serve".

Judge Lanier explained the proposed amendments to Article III, Section 2, Paragraph L. That Article III, Section 2, Paragraph L be deleted and Repositioned as Article III, Section 10, and Renumber Section 10 on Vacancy as Section 11.

Chairman Plaisance recognized Kirk Cheramie. Mr Charamie addressed the Council pertaining to the numbers of votes need to commence inquiry into absences and inability to serve.

A motion by Joseph Fertita and seconded by Henry Lafont, that Article III, Section 10, Paragraph L, Subsection (A), "Inquiry Into Absences" be amended to provide for two-third (2/3) majority to commence an inquiry into absences.

Roll 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.	Yes
John Plaisance	Yes
Joseph "Joe" Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph "Joe" Fertitta	Yes

Chairman Plaisance recognized Kirk Cheramie. Mr Charamie questioned the Commission on obtaining medical records of the person being investigated.

A motion by Danny Mayet and seconded by Elizabeth Breaux, that Article III, Section 10, Paragraph L (A), "Inquiry Into Absences" be amended as follows;

"If a member of the Council fails to attend regular meetings of the Council for three (3) consecutive months, then immediately prior to the adjournment of the first regular meeting thereafter, the council shall commence an inquiry to determine whether the absences were with or without just cause. The inquiry shall be held during the course of the regular meeting and may be continued for no more than two (2) consecutive regular meetings. For the purpose of conducting such an inquiry, any member of the council shall have the 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 provided by ordinance, If two-third (2/3) majority of the voting members of the council determine that a preponderance of the evidence produced during the inquiry establishes that the absences were without just cause, the Council immediately shall declare by resolution that the absentee Council member has forfeited his/her office for violating Article III, Section 2, paragraph K (2) of this Charter, declare that Council member's office vacant and fill the vacancy as provided for in Article III, Section 11, Paragraph B or C. If a two-third (2/3) majority of the voting members of the Council determine that a preponderance of the evidence produced during this inquiry establishes that the Council member is either permanently or temporarily unable to discharge the powers, functions and duties of his/her office, the Council shall proceed in accordance with Paragraphs B and C of this Section. If the evidence does not satisfactorily prove absence without just cause or temporary or permanent inability to serve, no further action shall be taken and the inquiry shall be terminated.

Roll 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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A motion by Joseph Fertita and seconded by Danny Mayet, that Article III, Section 2, Paragraph L, Subsection B (1) and B (2) “Permanent Inability to Serve”, and Subsection C (2), “ be amended as follows;

“majority of the Council” be changed to” two-third (2/3) of the Council”.

Roll 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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A motion by Danny Mayet and seconded by Elizabeth Breaux, that Article III, Section 10, Paragraph L, Subsection (A), “Inquiry Into Absences with or without Just Cause; Determination of the Temporary or Permanent Inability of a Council Member to Serve” be adopted as amended. Delete Article III, Section 2 Paragraph L from Section 2 and Repositions it as Article III, Section 10.

Roll 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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A motion by Walter Lanier, Jr. and seconded by Henry Lafont, that Article III, Section 2, Paragraph I, “Investigations” be amended so that the last sentence reads as follows:

The Council shall not have the power to investigate the official conduct of its members or, the President, or its other member, except as specifically provided for in Article III, Section 10 of this Charter.

Roll 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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

The Commission discussed proposed amendment to Article III, Section 2, Paragraph E, “Qualifications of a Candidate for Election as Member of the Council”. The proposed amendment was to add restrictions for a convicted felon.

Chairman Plaisance Recognized Edward Diaz. Mr Diaz addressed the Commission stating that he was against putting restrictions in the Charter for a candidate qualifying who has been convicted of a felony.

After further discussion, the commission decided that Article III, Section 2 Paragraph E, would not be amended to include restrictions for a convicted felon.

The Commission discussed Article III, Section 2, Paragraph G, Term Limits.

A motion by Henry Lafont and seconded by seconded by Walter Lanier, Jr., that an alternative be on the ballot for term limits.

Roll 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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

The Commission discussed Article III, Section 3, “Executive Branch”.

Chairman Plaisance recognized Parish President Charlotte Randolph. President Randolph addressed the commission pertaining to unclassified employees in the Executive Branch.

A motion by Walter Lanier, Jr. and seconded by Charles Beasley that Article III, Section, 3, Paragraph B (1) be amended to read as follows:

The President may authorize any executive officer who is subject to his/her direction and supervision to exercise these powers with respect to subordinates in the officer’s department, office or political subdivision. The President shall fix the salaries of unclassified officers and employees of the Executive Branch, subject to approval by ordinance unless other wise provided

for in the budget.

Roll 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.	Yes
John Plaisance	Yes
Joseph "Joe" Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph "Joe" Fertitta	Yes

The Commission discussed Article III, Section 3, Paragraph C, "The Administrator".

A motion by Joseph Fertitta and seconded by Charles Beasley, that Article III, Section 3, Paragraph C, "The Administrator", be approved. Without objection motion was adopted.

The commission discusses Article III, Section 3, Paragraph D (5). "Appointment of Department Heads and the Administrator."

A motion by Joseph Fertitta and seconded by O.E. Monnier, that Article III, Section 3, Paragraph D (5), "Appointment of Department Heads and the Administrator", that the 3rd sentence be amended to read as follows;

Within thirty (30) days after the President makes the nomination, the Council shall vote to confirm or reject each nomination by resolution. Without objection, motion was adopted.

A motion by Joseph Fertitta and seconded by O. E. Monnier, that Article III, Section 3, Paragraph D (6) , "Removal of Department Heads and the Administrator", be amended to read as follows:

The Council may remove the Administrator or a Department head by a resolution adopted by favorable vote of at least two-third (2/3) plus 1 (7) of its members. Without objection motion was adopted.

A motion by Walter Lanier, Jr. seconded by Elizabeth Breaux, that Article III, Section 3, "Executive Branch" be adopted as amended. Without objection motion was adopted.

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.	Yes
John Plaisance	Yes
Joseph "Joe" Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph "Joe" Fertitta	Yes

Commission discussed Article III, Section 4, "Elections"

A motion by Charles Beasley and seconded by Henry Lafont, that Article III, Section 4, "Elections", that the 1st sentence be amended to read as follows:

The next election for President and the other members of the Council shall be held at the same time as the governor's election in accordance with State Law. Without objection motion was adopted.

The Commission discussed Article III, Section 5, "Compensation".

Chairman Plaisance recognized Parish President Charlotte Randolph. President Randolph addressed the commission as to when the increase in salary should start.

A motion by Danny Mayet and seconded by Charles Beasley that Article III, Section 5, be amended to state that the salary increase will go into effect in 2005. Without objection motion was adopted.

The Commission discussed Article III, Section 5, "Compensation" regarding the amount of the salary increase.

A motion by Sharleen Hotard that the salary should be \$65,000 for the President and \$15,000 for the Council. Motion fails for lack of a second.

A motion by Charles Beasley and seconded by Elizabeth Breaux, that the salary of \$65,000 for the President and \$12,000 for the Council be adopted. Without objection motion was adopted.

A motion by Danny Mayet and seconded by O. E. Monnier that Article III, Section 5, be amended to delete, "thereafter". Without objection motion was adopted.

A motion by Walter Lanier, Jr. and seconded by Henry Lafont, that Article III, Section 6, "Ordinances, Resolutions and Motion, " Section 7. "Budget" and Section 8., " Recall". be adopted. Without objection motion was adopted.

The Commission discussed Article III, Section 9, " Forfeiture of Office; Removal by Suit".

A motion by Henry Lafont seconded by O. E. Monnier, that Article III, Section 9, be amended in subsection B to change Paragraph L to Paragraph K. and that Article III, Section 9 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.	Yes
John Plaisance	Yes
Joseph "Joe" Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph "Joe" Fertitta	Yes

The Commission discussed Article III Section 10 now Section 11.

Judge Lanier moved to change Subsection B to Subsection C and Subsection C to Subsection B.

A motion by Henry Lafont and seconded by Elizabeth Breaux, that Subsection B be changed to Subsection C and Subsection C be changed to Subsection B. Without objection Motion was adopted.

A motion by Elizabeth Breaux and seconded by Henry Lafont, Article III, Section 11 (B) previously (C) ,be approved. Without objections the motion was adopted.

A motion by Henry Lafont and seconded by Elizabeth Breaux that Article III, Section 11 (D) , be approved. Without objection motion was adopted.

A motion by Henry Lafont, seconded by Sharleen Hotard the Article III, Section 11 (E) be approved. Without objections motion was adopted.

Chairman Plaisance requested that the first sentence in Article III, Section 11 (C) be amended to read as follows:

A vacancy in the office of a member of the Council shall be filled within thirty (30) days by at least a majority vote of the remaining members of the Council.

A motion by Henry Lafont and seconded by Danny Mayet, that Article III, Section 11 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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes
Joseph “Joe” Fertitta	Yes

A motion by Walter Lanier, Jr. and seconded by Elizabeth Breaux that Article III, be adopted.

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.	Yes
John Plaisance	Yes
Joseph “Joe” Mickles	Absent
Walter Lanier, Jr.	Yes

Joseph "Joe" Fertitta

Yes

Article V will be on the agenda for the next meeting. The next meeting will be held Tuesday May 26, 2004, at 6:30 P.M..

On motion by Sharleen Hotard and seconded by Mary Kitchen, that meeting be adjourned. Without objection, the meeting was adjourned at 9:25 P.M..

MARY KITCHEN, Assistant Secretary

JOHN J PLAISANCE, II, Chairman