

**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, June 29, 2004, at 6:00 P.M.

The meeting was called to order by Chairman John Plaisance at 6:10 P.M.

A prayer was given by, Sharleen Hotard, followed by the Pledge of Allegiance to the Flag by Butch Monnier.

Upon roll call, the following members were present:

Ms. Mary Kitchen
Ms. Sharleen Hotard
Ms. Elizabeth Breaux
Mr. Charles Beasley
Mr. O.E. Monnier
Mr. Danny Mayet
Mr. Henry LaFont, Jr.
Mr. John Plaisance
Mr. Joseph "Joe" Mickles
Judge Walter I. Lanier, Jr.
Mr. Joseph "Joe" Fertitta

A motion by Danny Mayet, seconded by Elizabeth Breaux, to defer approval of the June 23, 2004, meeting until the next meeting. Without objection, the motion passed.

A motion by Judge Walter Lanier, Jr., seconded by Sharleen Hotard, to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph A, Parish Council: Governing Authority, with the addition of the following sentence at the end of the paragraph: "The Council is the governing authority of the Parish." Without any objections, the motion was passed.

A motion by Judge Walter Lanier, Jr., seconded by Henry Lafont, Jr, to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph B3, as amended with "or election for Chair and Vice Chair of the Council" added after the "comma" in line three. With one objection by Sharleen Hotard, the motion was passed.

A motion by Joseph Fertitta, seconded by Sharleen Hotard, to change the intent of Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraphs E1 and E2 by omitting everything behind the "first comma" in lines two and replacing it with "prospective candidate shall be a qualified elector and shall be domiciled in the Parish for at least one (1) year prior to the end of the period for qualifying as a candidate for that position." Without any objections, the motion was passed.

A motion by Henry Lafont, seconded by Charles Beasley, that in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraphs E1 and E2, in lines two, replace "have resided" with "been domiciled." Without objection, the motion was unanimously passed.

A motion by Joseph Fertitta seconded by Danny Mayet that in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph G, Term Of Office, delete everything that is bolded in the paragraph and the term of office for the President and other Council member's shall become effective on January 1,2008, at 12:01 a.m. The motion unanimously passed.

A motion by Danny Mayet, seconded by Sharleen Hotard, that in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph H2, the last sentence shall read as follows: "All regular, special, emergency and committee meetings shall be open to the public." Without objection, the motion passed.

A motion by Joseph Fertitta, seconded by Sharleen Hotard, that in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph H6, add the following sentence behind the first sentence: "In the absence of any rules or order of business not covered by ordinance, Robert's Rule of Orders shall apply."

Roll Call Vote

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

A motion by Judge Lanier, seconded by Sharleen Hotard, that in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph I, Investigations, add "when authorized by a resolution to do so, that states the purpose of the investigation" after "thereof" in sentence three. The motion passed without objection.

A motion by Henry Lafont, Jr. seconded by Joseph Mickles, that in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraphs J1 and J2, omit "(ordinances)." Without objection, the motion passed.

A motion by Henry Lafont, Jr., seconded by Charles Beasley, to add "by resolution" behind "Council" in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph J3.

Roll Call Vote

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

A motion by Judge Walter Lanier, seconded by Sharleen Hotard, that Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph J4, shall read as follows: "All legislative employees shall serve at the pleasure of the Council, unless they have been designated as classified employees by ordinance." Without any objection, the motion passed.

A motion by Judge Walter Lanier, Jr., seconded by Charles Beasley, to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph J5, as it is rewritten to read as follows: “The Council shall fix the salaries of all unclassified legislative employees by ordinance, unless the salary, or salaries, have been previously fixed in the operating budget ordinance.” With one objection by Joseph Fertitta, the motion passed.

A motion by Danny Mayet, seconded by Joseph Fertitta, to open the Public Hearing. Without objection, the motion passed and Chairman John Plaisance declared the Public Hearing open.

Mr. Cecil Watts, Mr. Gene Griffin, Mr. George Randolph, Councilman Phillip Gouaux, Parish President, Charlotte Randolph, and Ron Sapia were recognized and spoke at the meeting.

A motion by Danny Mayet, seconded by Joseph Fertitta, to close the Public Hearing. Without any objections, the motion was passed and the Public Hearing was closed.

A motion by Henry Lafont, Jr., seconded by Joseph Fertitta, to return back to Article III, Organization, Structure and Distribution Of Powers And Functions, Section 2, The Legislative Branch, Paragraph J5. Without objection, the motion passed.

A motion by Judge Walter Lanier, Jr. , seconded by Butch Monnier to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 3, The Executive Branch, Paragraph B2 as it is rewritten to read as follows: “Except as otherwise specifically provided for in this Charter, have general power and authority to direct and supervise the administration of all departments, offices and political subdivisions in the executive branch of this Parish;.” With any objections, the motion was passed.

A motion by Judge Walter Lanier, Jr., seconded by Charles Beasley, to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 3, The Executive Branch, Paragraph B9 as it is rewritten to read as follows: “Enter into, and, if required, sign, either personally or by his/her designee, all contracts of the Parish that are authorized by Article VI, Section2, Paragraph A, of this Charter; and, if required, sign, either personally or by his/her designee, all contracts of the Parish otherwise provided for in this Charter; and cause all Parish contracts to be performed in good faith and in accordance with the law.” Without any objections, the motion passed.

A motion by Danny Mayet, seconded by Sharleen Hotard to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 3, The Executive Branch, Paragraph D1 as rewritten with the bold print. Without objection, the motion was passed.

A motion by Judge Walter Lanier, seconded by Joseph Fertitta, that existing boards are ratified and in the future, no Council members can be on any new boards.

A motion by Elizabeth Breaux, seconded by Charles Beasley, to amend Judge Lanier’s motion and allowing one (1) Council member as a nonvoting liaison member on each future board.

Roll Call Vote

Ms. Mary Kitchen	No
Ms. Sharleen Hotard	No
Ms. Elizabeth Breaux	Yes
Mr. Charles Beasley	No
Mr. O.E. Monnier	No
Mr. Danny Mayet	No
Mr. Henry Lafont, Jr.	Yes
Mr. John Plaisance	No

Mr. Joseph “Joe” Mickles	No
Judge Walter I. Lanier, Jr.	No
Mr. Joseph “Joe” Fertitta	Yes

Roll Call Vote on the motion stating that existing boards are ratified as is and in the future, no Council member will be able to serve on new boards except for one (1) nonvoting liaison member, if the Council chooses to have one.

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

Judge Lanier moved and Elizabeth Breaux seconded to defer Article III, Organization, Structure and Distribution Of Powers And Functions, Section 3, The Executive Branch, Paragraph D7. Without objection, the motion passed.

A motion by Charles Beasley seconded by Elizabeth Breaux, to accept Article III, Organization, Structure and Distribution Of Powers And Functions, Section 9, Forfeiture Of Office; Removal By Suit, Paragraph D and E, as changed with the bolded print.. Without objection, the motion passed.

A motion by Elizabeth Breaux, seconded by Sharleen Hotard, to accept the bolded changes in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 10, Inquiry Into Absences; Determination Of The Inability Of A Member Of The Council To Serve. Without objection, the motion was passed.

A motion by Elizabeth Breaux, seconded by Butch Monnier, to accept the bolded changes in Article III, Organization, Structure and Distribution Of Powers And Functions, Section 11, Vacancy, along with the following amendments: in Paragraph B, add “\her” behind “his” in line six, In Paragraph E, and add “the” behind “in” replace “La” with “Louisiana”.

Elizabeth Breaux motioned and Danny Mayet seconded to accept Article IV, Civil Service Department, Section 2, Persons Excluded From The Civil Service System, with the bolded print.. With one objection from Joseph Fertitta, motion passed.

A motion by Judge Walter Lanier, seconded by Elizabeth Breaux to adopt IV, Civil Service Department, Section 3, Appointment And Dismissal Of Parish Civil Service Employees, as amended with “the” deleted from line one in Paragraph A.

A motion by Charles Beasley, seconded by Sharleen Hotard, to accept Article IV, Civil Service Department, Section 4, Organizations, Structure and Distribution Of The Power And Functions In The Department Of Civil Service, Paragraph B, The Board, with the bolded print Without objection, the motion was passed.

A motion by Elizabeth Breaux, seconded by Danny Mayet, to accept Article IV, Civil Service Department, Section 4, Organizations, Structure and Distribution Of The Power And Functions In The Department Of Civil Service, Section 4, Organizations, Structure and Distribution Of The Power And Functions In The Department Of Civil Service, Paragraph C, The Director, with the following changes: add a “t” to “his” to make it “this” in line four of Paragraph C(1) and in Paragraph C(2)(b), add a “capital S” to make it “System.” Without any

objections, the motion was unanimously passed.

A motion by Danny Mayet, seconded by Sharleen Hotard, to accept Article IV, Civil Service Department, Section 5, with the bolded print. Prohibited Political Activity. Without objections, the motion passed.

Judge Walter Lanier, Jr., moved and Sharleen Hotard seconded to adopt Article IV, Civil Service Department, Section 6, Classification Ratified, with the bolded print. Without any objections, the motion was adopted.

Judge Walter Lanier, Jr., moved and Sharleen Hotard seconded to adopt Article IV, Civil Service Department, Section 7, Continuation Of Plans And Rules. Without any objections, the motion was adopted.

A motion by Judge Walter Lanier, seconded by Sharleen Hotard, that Article IV, Civil Service Department, Section 8, Supremacy Clause, be accepted with “the” changed to “this” in line one. Without objection, the motion passed.

A motion by Elizabeth Breaux, seconded by Danny Mayet, that Article V, Ordinance, Resolutions And Motions, Section 1, Definitions, Paragraph A, Definition Of An Ordinance, be accepted with “be” deleted in sentence two and the bolded print that was added. Without any objections, the motion passed.

A motion by Henry Lafont, Jr., seconded by Elizabeth Breaux, to accept Article V, Ordinance, Resolutions And Motions, Section 1, Definitions, Paragraph B, Definition Of A Resolution, with the bolded print. Without objection, the motion passed.

A motion by Danny Mayet, seconded by Elizabeth Breaux, to accept Article V, Ordinance, Resolutions And Motions, Section 1, Definitions, Paragraph C, Definition Of A Motion, and D, Effect of Violating This Section. Without objection, the motion unanimously passed.

A motion by Joseph Fertitta, seconded by Elizabeth, that the Parish President should be allowed to propose ordinances or resolutions.

Roll Call Vote

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

With a vote of three (3) yeas and eight (8) nays, the motion failed.

A motion by Danny Mayet, seconded by Sharleen Hotard, to adopt Article V, Ordinance, Resolutions And Motions, Section 2, Enactment Of An Ordinance with the following amendments: in Paragraph G, add “(5)” after “majority” in line two and in line four, add “a” after “least” and “majority (6)” after “(2/3)”, in Paragraph I, replace “ten (10)” with five (5)”, in J(1), in the title, add “an” after “of” and capitalize the “o” “ordinance”, in J(2), “VII” should be “VI”, in J(3), in the title, add “the” after “to” and “of” and capitalize the “v” on “veto”, in Paragraph K, add “majority (6)” after “(2/3)”, and in L(4), add “majority (6.)” Without objection, the motion

was adopted.

A motion by Elizabeth Breaux, seconded by Sharleen Hotard, to accept Article V, Ordinance, Resolutions And Motions, Section 3, Emergency Ordinances, with the following changes: in Paragraph A, add "(5)" after vote in line one and in Paragraph B, add "(6)" after "six" in line ten and "majority (6)" after "(2/3" in line twelve. Without any objection, the motion passed.

A motion by Sharleen Hotard, seconded by Danny Mayet, to accept Article V, Ordinance, Resolutions And Motions, Sections 4, Codes Of Technical Regulations, 5, Maintaining The Parish Code Of Ordinances, and 6, Maintaining Records Of Resolutions, as written. Without objection, the motion passed.

A motion by Elizabeth Breaux, seconded by Butch Monnier, that Article V, Ordinances, Resolutions, And Motions, Section 1, Definitions, Paragraph A(4), shall read as follows: "Adopt the operating budget and capital budget, or amendments thereto, for the Parish as provided for in Article VI;" and in, Article VI, Finance, Section 2, Administration, Paragraph B, Procedure for Making Expenditures of Appropriated Funds, delete "or separate Appropriation duly made" and replace it with "amendment thereto." Without any objections, the motion was passed.

A motion by Charles Beasley, seconded by Elizabeth Breaux, that in Article V, Ordinances, Resolutions, And Motions, Section 2, Enactment Of An Ordinance, Paragraph F, Amendment, delete "present" in line ten and in Article VI, Finance, Paragraph E3, in line nine, add "(6)" after "majority" and delete "present" after "member."

A motion by Charles Beasley, seconded by Sharleen Hotard, that in Article VI, Finance, Section 3, Amendment Of A budget After Adoption, Paragraph A, add "to each Council member" after "certifies" in line one.

Roll Call Vote

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

With a vote of three (3) yeas and eight (8) nays, the motion failed.

Elizabeth Breaux motion and Charles Beasley seconded to accept Article VI, Finance as amended. With one nay by Joseph Fertitta, the motion was passed.

A motion by Elizabeth Breaux, seconded by Danny Mayet to accept Article VII, Initiative And Referendum, with the following amendments: replace the "A" in "Section A General" with "1", replace the "B" in "Section 2 Procedure" with "2" and change the numbering, "1-6" under Section B, to "a-f." Without any objections, the motion passed.

A motion by Elizabeth Breaux, seconded by Joseph Mickles, to adopt Article VIII, General Provisions, as written. Without objection, the motion passed.

A motion by Danny Mayet, seconded by Elizabeth Breaux, to accept Article IX,

Amendment And Repeal, with “majority (6)” added after “(2/3)” in Section 2, Procedures To Amend Or Repeal.

A motion by Joseph Fertitta, seconded by Charles Beasley, to adopt Article X, with the following amendments: the removal of all the bolded print and replacing “twelve o’clock midnight on December 1, 2004,” with “12:01 midnight on January 1, 2005.” Without any objections, the motion was adopted.

A motion by Henry, Lafont, Jr, seconded by Joseph Fertitta, that the Public Hearing be held in Galliano on Tuesday, July 6, 2004 and in Thibodaux, on Wednesday, July 7, 2004 at 6:30 p.m. Without objection, the motion passed.

Chairman Plaisance appointed Danny Mayet to set up a joint special meeting with the Lafourche Parish Council.

On motion by Judge Walter Lanier, Jr. , and seconded by Charles Beasley, the meeting was adjourned without objection at 9:40 P.M.

MARY R. KITCHEN, SECRETARY

JOHN J. PLAISANCE, II, CHAIRMAN