

**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 Monday, July 19, 2004, at 6:30 P.M.

The meeting was called to order by Chairman John Plaisance at 6:35 P.M.

Upon roll call, the following members were present:

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

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

A **motion** was offered by Mr. Joseph Fertitta, seconded by Mr. Charles Beasley, to approve the minutes of the July 12<sup>th</sup> and July 14<sup>th</sup>, 2004 meetings. Without any objection, the motion **passed**.

Mr. Danny Mayet asked the Parish Council to convene their meeting.

Mr. Lindel Toups opened the Special Council meeting. The prayer was said, followed by the Pledge and roll call. Mr. Toups then turned the meeting over to Mr. Danny Mayet.

Mr. Danny Mayet addressed everyone present at the meeting, including the Parish President, the Council Chairman, the Council Members, the Charter Commission Members, the District Attorney, the Assistant D.A., the past Charter Members, the News Media, and the General Public. Mr. Mayet introduced himself as Vice Chairman of the Home Rule Charter Revision Commission, then introduced the Secretary and the rest of the Home Rule Charter members. He stated that several members of the Commission also served on the Home Rule Charter Committee in 2003. Mr. Danny Mayet called upon Judge Walter Lanier, Jr. to introduce members of the original Home Rule Commission of 1976. Judge Lanier stated that the original Home Rule Charter Commission for Lafourche Parish was the first one held in the State of Louisiana under the new Constitution. He said, the original Home Rule Charter Commission consisted of 21 members and they had met for 364 days. The first person he introduced was the Chairman of the Powers and Functions Committee from 1975 to April 7, 1976, Mr. Hamilton Dantin. Judge Lanier then introduced Mr. Barry Uzee, a former Council member, as a member of the first Home Rule Charter Commission.

Mr. Danny Mayet stated that the HRC had met weekly, three to four hours per meeting, since they had begun their journey. He stated that they had invited and listened to input from the present and past members of the Council, the District Attorney and his assistants, past Charter members, past Parish Presidents, the Blue Ribbon Committee, Department Heads of the Parish and State Civil Service Board, and most importantly the members of the general public. He stated that the Commission has followed all of the open meeting rules and has had proper publications and postings of their meetings. Then, he said that every sentence, of every paragraph, of every section and article, was read and reviewed, many times over. Mr. Mayet also said, every article was made to comply with the rules of the Constitution of the State of Louisiana. He then said that some sections were deferred to later meetings so that research could be done; because one section could affect several other sections and all had to conform. He read some facts from the following Articles:

Article number one (I) was the Establishment of the Home Rule Charter.

Article number two (II) was Powers and Functions. The Parish shall have the right, the power, and the authority to adopt any ordinance necessary, requisite or proper; to promote, protect, preserve the general welfare, the safety, health, peace, and good order of the parish; subject only to the limitations that no ordinance shall be inconsistent with the Constitution or a provision of this Charter.

Article number three (III) was the Organization, Structure, and Distribution of Powers and Functions. The plan of government was a President-Council form of government. There will be two (2) branches of government, Legislative and Executive. The Council is the governing authority of the Parish. The Council shall consist of ten members, nine from single member districts and one elected at large who shall be the Parish President. The President shall have no vote and hold no office on the Council. The President and the Council members shall be elected to terms of four years, without term limits. The terms shall begin at 12:01 A.M., January 1<sup>st</sup> in the year following the election of the Governor. The President shall be the Chief Executive Officer (CEO) of the Parish and perform any function necessary and proper for the management of the Executive Branch. The President shall prepare and timely submit annual operating and capital budgets and keep the Council fully advised about the financial conditions of the Parish. The Parish shall have at least three departments: Finance, Public Works, and Civil Service. The Council may create seven additional departments. The Parish President shall receive an annual salary of \$65,000; effective in 2008. The Council members shall receive an annual salary of \$12,000; effective 2008. The President and the Council shall receive a 2% raise per annum beginning in 2009. The Council may also, in the first six months of 2005, raise the Parish Presidents salary to \$65,000. A great effort was made to define the powers and functions of the Legislative and Executive Branches.

Article four (IV) was Civil Service. The language was clearly defined who is covered and who is not covered under Civil Service.

Article five (V) was Ordinances, Resolutions, and Motions. A substantial amount of work was spent on defining Ordinances, Resolutions and Motions. A detailed listing of Ordinances and Resolutions, that have the force of law, is in this Article. This Article also included publications, public hearings, enactment, signing of Ordinances, actions by the President, Council action on vetoes, and final adoption. Emergency Ordinances were provided for and the powers of the President under the new Homeland Security Act were recognized.

Article six (VI) was Finance. The Parish shall have annual Operating and Capitol Budgets. The President shall have a mandatory duty to prepare and propose the parish budgets at least ninety days before the beginning of each year. The President must submit to the Council line item Operating and Capital Budgets. The Operating Budget shall present a complete financial plan for the ensuing year in three parts. First, the budget message will explain all major increases and decreases in budget recommendations, compared to expenditures from the prior year. Second, will be the Statement of General Funds and Special Funds, including statements of estimated fund balances at the beginning of the year, estimated revenues, and proposed expenditures by any agency, fund, or department. Third, will be a draft of the Appropriation Ordinance. The Capitol Budget for the parish shall cover at least a five year period. The Council shall schedule at least two public hearings on the budget. The Council may amend the budget at any meeting. The Council shall have a mandatory duty to adopt each budget no later thirty days prior to the commencement of the fiscal year. If amended, the budget must be balanced ten days after the Council takes action on the budget. The President has the mandatory duty to sign it or veto any line item and sign approval of the remainder of the budget. The Council shall provide for an annual Physical Compliance Audit.

Article seven (VII) was Initiative and Referendums. This section deals with the public's right to propose to the Council, passage, amendment, or repeal of an Ordinance or, in the alternative, submit the proposal to a referendum to the people.

Article eight (VIII) was General Provisions. This section includes legal process, ethics, reconstruction of government, and the rights of any citizen of the parish to compel compliance with the Home Rule Charter. Definitions are also included in this section.

Article nine (IX) was Amendments and Repeal. The electors (the voters) shall have the right to amend or repeal this Charter and provides the procedures to do so.

Article ten (X) was the Transitional Provisions. This Charter shall become effective 12:01 A.M., January 1, 2005 and provides for the Official Ballot.

This Charter has been written in a better form, with a detailed Table of Contents, and a Definitions section. We have made it a user friendly document.

The Commission has held three public hearings; one in each area of the Parish for final input, and on July 14, 2004, approved the final document.

Mr. Danny Mayet thanked the Councilmen for creating the Home Rule Charter Commission and appointing the Commissioners. He also thanked the Parish President, Ms. Charlotte Randolph and members of her staff; Ms. Shannon Chaisson, Finance Director and Mr. Cullen Curole, Parish Administrator, for their input on the daily operations of the Parish. Next, Mr. Mayet thanked the District Attorney, Mr. Camille Morvant and the Assistant District Attorney, Ms. Lisa Orgeron, for their legal opinions and compliance with the law, and pointing out the flaws in the existing Charter that led to lawsuits. Also, he thanked the Council Clerk, Ms. Sheila Boudreaux, for all her efforts in organizing the meetings and agendas, and for her clerical assistance. Next, he thanked Judge Walter Lanier, Jr., for preparing their weekly review and recommendations. He thanked Chairman John Plaisance for the weekly revisions of the Charter document. Mr. Mayet thanked his fellow Commissioners for their debates and laughs.

Mr. Mayet called the Chairman, Mr. John Plaisance, to stand before the Council. Mr. Mayet then stated that the Home Rule Charter Revision Commission was created on April 7, 2004, as authorized by Article VI, Section 5, of the Louisiana Constitution, Louisiana Revised Statute 33:1395 *et seq.* and Ordinance No. 3383 of the Lafourche Parish Council. He said that all eleven members swore to God that they would faithfully and impartially discharge and perform all the duties incumbent upon them as Charter Revision Commissioners. He stated that we have complied with our oaths and it was his privilege and pleasure, on behalf of the Home Rule Charter Commission, to present to the Lafourche Parish Council, assembled, the proposed Revised Home Rule Charter for the Parish of Lafourche that was unanimously adopted. He requested that it be published in the Official Journal of the Parish as provided for in Louisiana Revised Statute 33:1395.1, and an election called for the citizen's vote. Mr. Plaisance thanked the Commissioners and Mr. Danny Mayet.

On **motion** by Ms. Elizabeth Breaux, seconded by Mr. Joseph Mickles, the final Home Rule Charter Commission meeting was *adjourned* without objection at 7:05 P.M.

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MARY R. KITCHEN, SECRETARY

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JOHN J. PLAISANCE, II,  
CHAIRMAN