

JANUARY 13, 2004
RACELAND, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JANUARY 13, 2004, AT 7:00 P.M., IN THE COUNCIL ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612, HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Parish Council was duly convened as the governing authority of said Parish by Vernon Rodrigue, Clerk of Court for the Parish of Lafourche, who announced that he will be conducting the meeting until a Chairman is elected. The Parish Council was ready for the transaction of business at 7:00 P.M.

Proceedings of the meeting were called to order with the following:

PRESENT: Mr. Tyrone Williams (*entered the meeting at 7:05 p.m.*)
Mr. Mike Delatte
Mr. Michael Matherne
Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. L. Phillip Gouaux, II
Mr. Brent Callais
Mr. Daniel Lorraine

ABSENT: None

Mr. Rodrigue announced that the opening prayer would be led by Mr. Michael Matherne. The Council then recited the Pledge of Allegiance led by Council Member Lindel Toups .

APPOINTMENTS/ELECTIONS FOR THE 2004 FISCAL YEAR

The first item (1) on the agenda was a motion to appoint the Chairman for the Fiscal Year 2004 for the Governing Authority of Lafourche Parish, the Lafourche Parish Council. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Tommy Lasseigne to *nominate Mr. Lindel Toups*. The motion to appoint Mr. Lindel Toups as Chairman of the Lafourche Parish Council for the Fiscal Year 2004 *passed* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent at the time of voting, being that of Mr. Tyrone Williams.

Mr. Vernon Rodrigue then turned the meeting over to the newly elected chairman, Mr. Lindel Toups.

Chairman Toups announced that Mr. Tyrone Williams entered the meeting at 7:05 P.M.
Chairman Toups expressed his gratitude for being named Chairman for the upcoming year.

The next item (2) on the agenda was a motion to appoint the Co-Chairman for the Fiscal Year 2004 for the Governing Authority of Lafourche Parish, the Lafourche Parish Council. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine to *nominate Mr. Brent*

Callais. The motion to appoint Mr. Brent Callais as Co-Chairman of the Lafourche Parish Council for the Fiscal Year 2004 **passed** by a vote of nine (9) yeas and zero (0) nays.

APPROVAL OF MINUTES

The next item (3) on the agenda was the approval of the minutes of the December 29, 2003, Lafourche Parish Council Special Meeting. A motion was offered by Mr. Daniel Lorraine and seconded by Mr. Mike Delatte to accept the December 29, 2003 Special Meeting minutes. Mr. Phillip Gouaux said that he would like to accept the minutes with one contingency, item (9), a proposed ordinance to accept the subdivision known as Catfish Cove as a Private, Gated Development, Ward (7), District 2, Parish of Lafourche; requiring permits for utilities through the Lafourche Parish Permit Office and to comply with permits to meet Board of Health requirements. An **amendment** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais requesting a legal opinion on the Catfish Cove Private Establishment since it has not gone before the Planning Commission. The amendment was **adopted** by a vote of nine (9) yeas and zero (0) nays. The minutes were **approved**, pending a ruling by the District Attorney on item (9) dealing with Catfish Cove by a vote of nine (9) yeas and zero (0) nays.

Before moving on to Proposed Ordinances, Chairman Toups introduced the new Parish President, Charlotte A. Randolph and then allowed the councilmen to introduce themselves and what district they represent.

ORDINANCES FOR INTRODUCTION

The next item (4) on the agenda was a proposed ordinance to provide for the establishment of the Lafourche Parish Home Rule Charter Revision Commission in accordance with the provisions of Article V, Section 5 of the Constitution of the State of Louisiana and the Uniform Guidelines for all Charter Commissions: Parish, Municipal, Elected, and Appointed Act, Louisiana Revised Statute 33:1395 et seq.; to fix the time and place for the first meeting of the Commission; to provide for the number, qualifications and appointment of the members of the Commission; to provide for the organization and structure of the Commission; to provide for the powers and functions of the Commission and the limitations thereon; to provide for the terms of office of the members of the Commission; to provide for the submission of alternative proposals by the Commission to provide for submission of the Proposed Amended Charter and any Proposed Alternative Proposals to the qualified Electors of the Parish; and to otherwise provide for the Commission and the Amended Home Rule Charter to be prepared by it. A motion was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (5) on the agenda was a proposed ordinance to accept the Subdivision known as Lots 1,2,3 & 4 Block 3 Sugarland Subdivision, Ward 3, District 6, into the Parish System. A motion was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (6) on the agenda was a proposed ordinance to accept the Subdivision known as Rachel Plantation Estates, Addendum No. 3, Phase "C", Ward 11, District 4, into the Parish System. A motion was offered by Mr. Tommy Lasseigne to introduce the above stated proposed ordinance.

The next item (7) on the agenda was a proposed ordinance to accept the Subdivision known as Borne Subdivision, Ward 6, District 2, into the Parish System. A motion was offered by Mr. Mike Delatte to introduce the above stated proposed ordinance.

RESOLUTIONS

The next item (8) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Bollinger Shipyards, LLC, #20030613, to participate in the benefits of the Louisiana Enterprise Zone Program. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Daniel Lorraine stated that both large and small companies within the parish use these Enterprise Zones. He asked if the parish loses money from this program. Mr. Gouaux stated that the program was an economic incentive for some of these companies to expand. He said that these companies must also put a certain amount of people to work based on the investment and will only get a tax break based on the investment monies. Mr. Gouaux concluded that these Enterprise Zone Programs generate new jobs in the parish, which in turn generates new tax dollars from these new parish employees. Mr. Mark Atzenhoffer asked if items (8) through (12) could be voted on in block since they deal with the same issue. Mr. Phillip Gouaux stated that each item should be voted on separately since they are separate Enterprise Zones. The council *adopted* said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-001

EZP BOLLINGER SHIPYARDS 20030613

The next item (9) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Bollinger Shipyards, LLC, #20030615, to participate in the benefits of the Louisiana Enterprise Zone Program. A motion was offered by Mr. Phillip Gouaux, seconded by Mr. Daniel Lorraine, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-002

EZP BOLLINGER SHIPYARDS 20030615

The next item (10) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Chand, LLC, #20030616, to participate in the benefits of the Louisiana Enterprise Zone Program. A motion was offered by Mr. Phillip Gouaux, seconded by Mr. Tyrone Williams, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-003

EZP CHAND 20030616

The next item (11) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Bollinger Shipyards, LLC, #20030617, to participate in the benefits of the Louisiana Enterprise Zone Program. A motion was offered by Mr. Phillip Gouaux, seconded by Mr. Mike Delatte, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-004

EZP BOLLINGER SHIPYARDS 20030617

The next item (12) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Bollinger Shipyards, LLC, #20030621, to participate in the benefits of the Louisiana Enterprise Zone Program. A motion was offered by Mr. Mark Atzenhoffer, seconded by Mr. Tyrone Williams, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-005

EZP BOLLINGER SHIPYARDS 20030621

MOTIONS

The next item (13) on the agenda was a motion to advertise and accept resume's for the office of Lafourche Parish Council Clerk. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. Mr. Tommy Lasseigne asked if the council was declaring the position vacant at this time. Mr. Atzenhoffer announced that it was just to open the process to accept resume's for the position of the Lafourche Parish Council Clerk. Mr. Lasseigne then asked if the current Council Clerk had an employment contract or term. Chairman Toups stated that he serves At the Pleasure of the Council. An **amendment** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais to vacate the Council Clerk's position immediately; go out for resume's; set the salary

between \$30,000 and \$45,000, based on the salaries of the surrounding parishes and the city of Thibodaux; and to advertise for one week and to have a three week interview period, whereby, the council can form a committee to interview the applicants, and added that the current Council Clerk has the opportunity to submit a resume'. Another **amendment** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to allow Stacie Gravois to serve as Interim Council Clerk for Lafourche Parish. The council **adopted** the **amendment** offered by Mr. Phillip Gouaux by a vote of nine (9) yeas and zero (0) nays. The council then **adopted** the **amendment** offered by Mr. Mark Atzenhoffer to appoint Stacie Gravois as Interim Council Clerk by a vote of nine (9) yeas and zero (0) nays. Discussion ensued on the length of advertising. Mr. Phillip Gouaux then said that advertising for the position would begin immediately until the end of the month and then stated that February 20, 2004 would be the cut off date for the committee. He added that interviews would take place between February 1 and 20, 2004. The advertisement would be placed in The Daily Comet and The Gazette. Mr. Lasseigne suggested that the deadline for applications be January 30, 2004. The council **adopted** the motion to advertise and accept resume's for the office of Lafourche Parish Council Clerk until January 30, 2004 by a vote of nine (9) yeas and zero (0) nays.

The next item (14) on the agenda was a motion requesting the Parish President to proclaim January 28, 2004, as Thibodaux Service League Day in the Parish of Lafourche, State of Louisiana and to further wish continued success and prosperity to the organization. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. Mr. Matherne announced that the Thibodaux Service League experience their 30th Anniversary in the fall and asked that the Parish President issue a proclamation to recognize the league's fine work. The council **adopted** the motion by a vote of nine (9) yeas and zero (0) nays.

LEGAL ADVISOR REPORT

The next item (15) on the agenda was discussion to be announced. District Attorney Camille A. Morvant, II said he had been busy and had no report for tonight.

Next, a motion was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** to move to a 2/3 Agenda by a vote of nine (9) yeas and zero (0) nays.

2/3 AGENDA

PUBLIC WISHING TO ADDRESS THE COUNCIL.

Chairman Toups asked if anyone from the public wished to address the council. Eva Shanklin made a point of observation that seats should not be saved for anyone who is not hear. She said that if people wish to sit, papers should not hold chairs, regardless to whether it is a council member, family member, wife, etc., saying that the seats are not for any particular person, they are for everyone. Chairman Toups asked that if anyone had something on a seat to kindly remove it so that members of the audience that wished to sit could.

PRESIDENT REPORT:

The first (1) item on the 2/3 Agenda was a presentation of monthly report by the Parish President as required by the Lafourche Parish Home Rule Charter, Article II, Section B, Item 2, which states: "The president shall submit monthly reports to the governing authority on parish finances and may require any parish officer of employee to report to the governing authority when necessary for the proper administration of the parish. First President Randolph congratulated

Chairman Toups and assured the council that there would be a report at each meeting from either herself or a Department Head to answer questions as well as issue a report.

EXECUTIVE SESSION

The next item (2) on the 2/3 Agenda was a motion to enter into Executive Session (To be by two-thirds votes of those present pursuant to La. Open Meeting Law, LA.R.S.42:4.1 ET SEQ. In general & particularly LA.R.S.42:6.1(A)(2)

- (a.) Discussion concerning personnel matters regarding the Lafourche Parish Council Clerk, Joel Pierce.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** to **strike the Executive Session from the agenda** by a vote of nine (9) yeas and zero (0) nays.

RESOLUTION

The next item (3) on the 2/3 Agenda was a Resolution stating that all checks issued by Lafourche Parish Government shall be signed by any two of three individuals: Parish President Charlotte A. Randolph, Arlene Toups, and an individual to be named later; and that these individuals are authorized to sign on all accounts dealing with the transfer of funds. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. President Randolph informed Mr. Michael Matherne that the individual she intended to name later would be the Finance Director. The council **adopted** said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-006 AUTHORIZE SIGNATURES FOR CHECKS

MOTIONS

The next item (4) on the 2/3 Agenda was a motion to allow Parish President Charlotte Randolph to appoint Department Heads for the Parish of Lafourche, State of Louisiana. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Mike Delatte. An **amendment** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux for the Parish President to appoint someone to the North and South Lafourche Levee Districts. Mr. Gouaux asked if that legislation was completed, giving the Parish President the authority to make such appointments. President Randolph stated that she was contacted by Senator Dupre, who suggested that these appointments be made immediately because they have to be submitted prior to January 30, 2004 and prior to the next legislative session. Mr. Daniel Lorraine noted that under the present charter, once a Department Head is named, he/she becomes the sole possession of the parish president. He stated that under the previous charter, there was a clause saying the council, with a 2/3 vote, could remove a Department Head. He also said that in the future, the council should avoid having 2/3 Agendas. The council **adopted** the **amendment** by a vote of nine (9) yeas and zero (0) nays. Next, the council **adopted** the **original motion** by a vote of nine (9) yeas and zero (0) nays. President Randolph announced that she was only going to appoint one Department Head at tonight's meeting and will wait until the February council meeting to appoint the remaining Department Heads. President Randolph nominated **Mr. Ray Cheramie** as the Department of Public Works Department Head. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to appoint Mr. Ray Cheramie as the Department of Public Works Department Head. Mr. Atzenhoffer relinquished his time to Mr. Cheramie. Mr. Cheramie addressed the council. Mr. Lorraine was told by President Randolph that four people applied for the position and that Mr. Cheramie does not have any government experience. Mr. Lorraine then stated that he was abstaining from voting since he did not have enough time to think about the nomination. Mr. Lindel Toups said that he was support the

Parish President on her appointments and spoke in favor of Mr. Ray Cheramie. Mr. Gouaux spoke in favor of appointing Mr. Cheramie as the Department of Public Works Department Head, stating several reasons as to why Mr. Cheramie is qualified for the job. Mr. Mark Atzenhoffer also supported the Parish President's nomination of Mr. Cheramie. President Randolph stated that Mr. Cheramie requested a salary of \$46,000, but the budgeted salary was \$40,000 and will need to be adjusted. Mr. Mike Delatte backed the Parish President's recommendation too. The council *adopted* the motion to appoint **Mr. Ray Cheramie** as the **Department of Public Works Department Head** by a vote of eight (8) yeas, zero (0) nays, and one (1) abstention, being that of Mr. Daniel Lorraine. President Randolph mentioned that if Mr. Cheramie was approved by the council, they he would have time to notify his current employer and would begin on January 26, 2004. Next, President Randolph nominated Mr. Mark Bourg to the North Lafourche Levee District. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to appoint Mr. Mark Bourg to the North Lafourche Levee District. Mr. Toups inquired about Mr. Bourg's background. President Randolph stated that he was the Vice-President of Coastal Commerce Bank and said that Mr. Bourg lives in an area that will be directly affected by some projects that will be going on in that area, which is why she selected him. The council *adopted* the motion to appoint **Mr. Mark Bourg** to the **North Lafourche Levee District** by a vote of nine (9) yeas and zero (0) nays. Mr. Gouaux asked if this appointment automatically put him on or does he still need to be ratified by the Governor. President Randolph said that she was instructed to submit one name to the council and three names to the governor, and if the first choice on the list is not chosen, then she will come back to the council with the other names. She noted that Senator Dupre changed the process of appointing members to these boards; now they are appointments from throughout the parish—the Town of Lockport, the City of Thibodaux, the various legislators that represent the district. Next, President Randolph nominated Mr. Bob Faulk to the South Lafourche Levee District. A motion was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. Mr. Lorraine noted that Mr. Faulk currently serves on this board. The council *adopted* the motion to appoint **Mr. Bob Faulk** to the **South Lafourche Levee District** by a vote of nine (9) yeas and zero (0) nays.

The next item (5) on the 2/3 Agenda was a motion that the Blue Ribbon Committee presents, at the March meeting of the full council, its report in written form. The report should contain "bullet pages" which highlight the most pressing change recommendations and a complete board by board report. A motion was offered by Mr. Mark Atzenhoffer, seconded by Mr. Mike Delatte, and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (6) on the 2/3 Agenda was a motion requesting that the North Lafourche Levee, Drainage and Conservation District present to the Public Works and Solid Waste Committee, on January 27, 2004, a presentation on the Thibodaux, Raceland, Savoie Project and a report on current and proposed projects for 2004. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Mike Delatte. Mr. Atzenhoffer then requested that the South Lafourche Levee District report to the February Public Works and Solid Waste committee meeting. The council *adopted* the motion by a vote of nine (9) yeas and zero (0) nays.

The next item (7) on the 2/3 Agenda was a motion to pay for any new councilmen that wish to attend the New member seminar being sponsored by the Police Jury Association on January 22, 2004, in Baton Rouge. Cost is \$25 per member attending. A motion was offered Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (8) on the 2/3 Agenda was a motion requesting information from the following boards:

- Ambulance Service District #1

- Fire Protection District #3
- Drainage District #1
- Hospital Service District #1
- Recreation District #3.

A motion was offered by Mr. Brent Callais and seconded by Mr. Phillip Gouaux. Mr. Callais stated that the information being requested was attached to the packet and must be turned in within 30 days from receiving the letter. The council **adopted** the motion by a vote of nine (9) yeas and zero (0) nays.

PROCLAMATION

The next item (9) on the 2/3 Agenda was a Proclamation recognizing Mr. Daniel Callais as King of the Krewe of Versailles, honorary "King of District 8", Parish of Lafourche, and State of Louisiana, on February 15, 2004. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Mike Delatte. Mr. Brent Callais abstained from voting. Mr. Daniel Callais addressed the council and invited everyone to attend the Versailles Parade on Sunday, February 15, 2004 at 12:00 noon, which starts on Hwy 1 by the bridge in Larose and goes down south to Cut Off Elementary. The council **adopted** the proclamation by a vote of eight (8) yeas, zero (0) nays and one (1) abstention, being that of Mr. Brent Callais.

Next, Chairman Toups announced that he was denying a 2/3 item to elect committee chairmen and said that they would be appointed at the committee meetings.

Next, a motion was offered by Mr. Daniel Lorraine, seconded by Mr. Mark Atzenhoffer, and **carried** to return to the regular meeting by a vote of nine (9) yeas and zero (0) nays.

Mr. Mark Atzenhoffer then reminded everyone about the election on Saturday for Constitutional Amendment 8, which will allow the parish to remove property taxes from rigs/vessels coming into the parish for repairs.

ADJOURN

On motion by Mr. Daniel Lorraine, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Meeting of January 13, 2004, is now adjourned at 7:51 P.M.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**STACIE GRAVOIS, INTERIM COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**