

**JANUARY 20, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH LAFOURCHE**

A SPECIAL MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JANUARY 20, 2004, AT 6:00 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 Mr. Lindel Toups, Chairman, who then stated that the Parish Council was ready for the transaction of business at 6:05 P.M.

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

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

PRESENT: Mr. Tyrone Williams
Mr. Mike Delatte
Mr. Michael Matherne
Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Toups, Chairman
Mr. L. Phillip Gouaux, II
Mr. Brent Callais, Co-Chairman
Mr. Daniel Lorraine

ABSENT: None

Chairman Toups stated that the Parish President Charlotte A. Randolph was present.

EXECUTIVE SESSION

The first item (1) on the agenda was a motion to enter into Executive Session to discuss: (To be by two-thirds votes of those present pursuant to La. Open Meeting Law, L.A.R.S.42:4.1 ET SEQ. In general & particularly L.A.R.S.42:6.1(A)(2)

- (a.) Litigation against the Lafourche Parish Council: subject matter -#94934 Hibernia National Bank v. Lafourche Parish Council, et al.
- (b.) Litigation against the Lafourche Parish Council: subject matter -#94995 Barriere Construction Co., L.L.C. v. Lafourche Parish Government, et al.

A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to go into Executive Session. Chairman Toups announced that Mr. Carl Chauvin, the Parish Council attorney and District Attorney Camille A. Morvant, II , were also present. The council **adopted** the motion to go into Executive Session by a vote of nine (9) yeas and zero (0) nays.

A motion was offered by Mr. Daniel Lorraine, seconded by Mr. Mark Atzenhoffer, and *carried* to close Executive Session by a vote of nine (9) yeas and zero (0) nays.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and *carried* to dismiss litigation #94934, the case of Hibernia National Bank v. Lafourche Parish Council, and if necessary, pay court costs of up to \$1,000 by a vote of nine (9) yeas and zero (0) nays.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and *carried* to dismiss litigation #94995, Barriere Construction Co., L.L.C. v. Lafourche Parish Government, and if necessary, pay court costs of up to \$2,000 by a vote of nine (9) yeas and zero (0) nays.

ORDINANCES FOR INTRODUCTION

The next item (2) on the agenda was a proposed ordinance authorizing the purchase of a Tract of Land located in Ward 6 of Lafourche Parish on which is located the Bill Taylor Boat Launch; and authorizing the Parish President to Sign an Act of Cash Sale and any other document pertaining thereto.. A motion was offered by Mr. Mike Delatte to introduce the above stated proposed ordinance. Mr. Daniel Lorraine asked if the proposed ordinance could be discussed. He noted that the cost was originally \$106,000 for the boat launch, as priced in ordinance 3009, and now it has increased to \$114,000. Chairman Toups asked that the Parish President look into the increase. Mr. Phillip Gouaux offered a point of order saying that Ordinances for Introduction cannot be discussed. Chairman Toups announced that the ordinances for introduction would be moved on tonight and that if any councilmen had any questions, to call the Parish President. He said that these ordinances would be discussed at the Public Hearing.

The next item (3) on the agenda was a proposed ordinance to provide for a Budget Appropriation for the 2000/2003 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of The Lafourche Parish Home Rule Charter for the disposition of supplemental appropriations as follows (as per attached schedule): Legislative \$26,175, District Court \$83,445, District Attorney \$246,459, Clerk of Court \$3,000, Court Reporters \$31,897, Planning \$65,000, 911 \$4,320, Detention Center \$249,495, Justices of the Peace & Constables \$24,173, Coroner's Office \$11,037, Fire Insurance Rebate \$23,043, Building/Maintenance-Rentals \$6,170, Acquisition of Land \$15,000, Acquisition of Equipment \$34,700, Roads & Bridges \$324,000, Solid Waste Revenue Decrease (\$557,645), Royalty Road \$150,000, Health Unit \$451,790, Criminal Court Fund \$41,574. A motion was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

MOTIONS

The next item (4) on the agenda was a motion to allow Parish President Charlotte Randolph to make an appointment to the North Lafourche Levee District for the Parish of Lafourche, State of Louisiana. President Randolph stated that the proper procedure was to turn in all three nominations for the NLLD to the governor. She announced that the nominees for the NLLD were Mark Bourg, Daniel LeBoeuf, and Joseph Fertitta. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer and *carried* to accept the Parish President's nominations to the NLLD by a vote of nine (9) yeas and zero (0) nays.

The next item (5) on the agenda was a motion to allow Parish President Charlotte Randolph to make an appointment to the South Lafourche Levee District for the Parish of Lafourche, State of Louisiana. President Randolph said that the way people are nominated for this board has changed. She stated that the nominee from the last meeting, Mr. Bob Faulk, asked that his name be removed since he does business with the parish. She announced that the nominees for the SLLD were E.J. Gremillion, Lin Kiger, and Tommy Guilbeau. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. Mr. Daniel Lorraine mentioned that Mr. Gremillion was currently on this board and that the other two nominees were not. President Randolph confirmed Mr. Lorraine's statement. Mr. Tommy Lasseigne asked when these nominees are put in if the governor does not accept the first one, does he go to the second one. Mr. Phillip Gouaux clarified that the governor has the choice of picking any one of the three candidates. President Randolph stated that it is suggested to turn in the names in preference order. The council *adopted* the motion to accept the Parish President's nominations to the SLLD by a vote of nine (9) yeas and zero (0) nays.

ADJOURN

On motion by Mr. Daniel Lorraine, seconded by Mr. Mike Delatte, and with no further business, the Lafourche Parish Council Meeting of January 20, 2004, is now adjourned at 6:35 P.M.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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