

MARCH 8, 2005
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, MARCH 8, 2005, AT 6:00 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Mr. Michael Matherne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 6:02 p.m.

Chairman Matherne announced that the opening prayer would be led by Council Member Michael Delatte. 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. Michael Delatte
Mr. Michael Matherne - Chairman
Dr. Tommy Lasseigne
Mr. Mark Atzenhoffer - Vice Chairman
Mr. Lindel Toups
Mr. L. Phillip Gouaux, II
Mr. Brent Callais
Mr. Daniel Lorraine

ABSENT: None

Chairman Matherne recognized the elected officials that were present: Parish President Charlotte A. Randolph, Senator Reggie Dupre, and Golden Meadow Councilman Mounic.

APPROVAL OF COUNCIL MINUTES

The first item (1) on the agenda was a motion to accept the amended minutes of the February 10, 2005, Regular Session meeting, to include a detailed list of the amendments to the road bond ordinance. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Daniel Lorraine to accept the February 10, 2005 amended minutes. The amended minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was a motion to accept the minutes of the February 22, 2005, Regular Session meeting. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Daniel Lorraine to accept the February 22, 2005 minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Lindel Toups, to **deviate** from the agenda to discuss item (41), and **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

The next item (41) on the agenda was a resolution rescinding Resolution No. 05-023 and adopting a new Resolution requesting Senator Reggie Dupre and Representative Loulan Pitre to pass a local bill that would create a Board of Commissioner to serve as the Governing Authority for the Veteran's Memorial District (VMD) of Ward 10 of Lafourche Parish. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Lindel Toups to adopt said resolution. Mr. Lorraine relinquished his time to Senator Dupre. Senator Dupre explained the bill amendments and why the changes were necessary. A motion to approve the **amendments** to reflect bill draft #2 was offered by Mr. Daniel Lorraine, seconded by Mr. Lindel Toups, that all words which were ~~struck through~~ were deletions (except for "**RESCINDING RESOLUTION NO. 05-023 AND ADOPTING A NEW RESOLUTION**") and the **boldface typing and underscoring** were additions. The amendment *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer. Mr. Lorraine personally thanked Senator Dupre and the Council for supporting the resolution. A second **amendment** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, to add, "*The board shall consist of nine members. Each board member shall be electors domiciled in Ward 10 of Lafourche Parish and a minimum of six members shall be honorably discharged veterans of a branch of the United States Armed Forces.*" The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

RES NO. 05-046 CREATING A BOARD OF COMMISSIONERS FOR THE VMD

A **motion** was offered by Mr. Lindel Toups, seconded by Dr. Tommy Lasseigne, to *return* to the regular agenda, and *carried* by a vote of nine (9) yeas and zero (0) nays.

PUBLIC WISHING TO ADDRESS THE COUNCIL

Chairman Michael Matherne announced that the next item on the agenda was the Public wishing to address the Council. Ms. Marilyn Duet addressed the Council regarding agenda items in general. She requested that the items being placed on the agenda to be more descriptive, so the Public can understand what would be discussed at the next meeting.

Mr. Junius Benoit Sr. made a brief comment on agenda item 15.

Mr. Ricky Comardelle was present to speak in reference to roadside vendors. He agreed to waiting until the discussion item was presented on the agenda to speak.

Mr. James Brabham spoke about the eroding marshlands. He stated his opinions on how the Parish could assist in the prevention of future loss of our marshlands.

Mr. Billy Cressionie Jr. was present to speak in reference to roadside vendors. He also agreed to waiting until the discussion item was presented on the agenda to speak.

Mr. Patrick Robertson of Thibodaux spoke about water coming out of a sewage pipe and back into his apartment complex every time there was a hard rain in his area. Councilman Williams agreed that a meeting would be held with Mr. Robertson, Mr. Jerome Danos with the Solid Waste Department, and himself to discuss the matter.

PRESENTATIONS

The next item (3) on the agenda was a presentation of reports regarding the Legislative Conference held in Washington, D.C. Councilman Callais stated that Councilman Lasseigne, Councilman Gouaux, Parish President Charlotte A. Randolph, Parish Administrator Cullen Curole, General Manager Windell Curole of the South Lafourche Levee District, and himself had attended a National Police Jury Convention in Washington. He mentioned that they had attended several seminars. Mr. Callais said that the Council Clerk would have a copy of a workbook obtained from the strategic planning seminar. He gave statistics on strategic planning and how the Parish could save money. Mr. Callais then gave the names of elected congressional leaders that they had met with. He stated that Senator Mary Landrieu was looking into giving

a couple of multi-millions of dollars to Recreation for the Bayou Lafourche Region. Mr. Callais then spoke of the Federal Government funding projects to upgrade bridges throughout the United States.

Mr. Phillip Gouaux went over their Washington schedule and mentioned the various people, places, and seminars which they had met, visited, and attended.

The next item (4) on the agenda was a presentation by Mr. Ray Ford with Hospital Service District No. 1 (Lady of the Sea Hospital) to give an annual finance report and other matters. Mr. Ford, Administrator of the Lady of the Sea Hospital, presented the Hospital Service District No. 1's annual finance report. He handed out copies of the report to the Council. Mr. Brent Callais commended the hospital staff and the board of directors for working, getting out of debt, and reducing the millage.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to *deviate* from the agenda to discuss item (51), and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (51) on the agenda was a discussion concerning roadside vendors. Mr. Billy Cressionie Jr. of Gheens thanked the Council and the Parish President for allowing him to speak pertaining to roadside vending. He stated his opinions of being targeted as a roadside vendor and then showed pictures to the Council of other violations considered to be "misuse of state highways", with nothing being done about it. Mr. Cressionie asked Mr. Mark Atzenhoffer why he continued to push the issue of not allowing roadside vending when a resolution was passed to leave them alone.

Mr. Mark Atzenhoffer clarified that an ordinance was proposed and it did fail 7-2, for the mere fact that a few Councilmen expressed that there were laws already on the books, which needed to be enforced. He said that a resolution passed 9-0 at the following Council meeting asking the State Police, Sheriff's Office, and the Constables to enforce the laws that are already on the books.

Mr. Ricky Comardelle of Raceland stated that he was a business person in the Parish with several businesses. He explained that he wanted everyone to be equal and follow all the same rules as he had to.

Mr. Roland Maurin, District Maintenance Engineer for the Louisiana Department of Transportation and Development, said that the biggest concern was safety along the highways. He spoke of the Revised Statute 48:347 which gave the Louisiana Department of Transportation and Development the right by law to remove anything that was non-highway system related off of the state right-of-way. A brief discussion ensued for clarity of the law and its authority.

A **motion** was offered by Mr. Lindel Toups and seconded by Dr. Tommy Lasseigne, to leave the Lafourche Parish roadside vendors alone, as long as they have proof of occupational licenses, taxes being paid, and the proper insurances. A detailed discussion and debate ensued pertaining to mobile vendors' licenses, public/private property, and enforcement. The motion *carried* by a vote of six (6) yeas and three (3) nays, that being of Mr. Michael Matherne, Mr. Mark Atzenhoffer, and Mr. Phillip Gouaux.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, to *return* to the regular agenda, and *carried* by a vote of nine (9) yeas and zero (0) nays.

PROCLAMATIONS

The next item (5) on the agenda was a proclamation proclaiming the week of April 10-16, 2005, as "National Public Safety Telecommunicator's Week" in Lafourche Parish. Mr. Mark Atzenhoffer explained that the proclamation was for all the dedicated people who basically take care of Lafourche Parish as for as 911 calls, routing the police, fire, and other emergency services throughout Parish locations. He then read the proclamation.

ADMINISTRATIVE REPORT(S)

The next item on the agenda was a presentation of any reports on the Parish. Parish President Charlotte A. Randolph addressed an issue of current interest, being that of the Health Unit rededication, that she wanted the Councilmen to consider. She requested that the Council seek a resolution from the District Attorney for his legal opinion.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Brent Callais, to seek a legal opinion by resolution from the District Attorney regarding the Health Unit rededication, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-047 LEGAL OPINION FROM DISTRICT ATTORNEY, REGARDING THE HEALTH UNIT REDEDICATION

District Attorney Camille Morvant requested that the resolution state specific questions because he would have to forward it to the Attorney General.

A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, to **deviate** from the agenda to discuss item (40), and **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (40) on the agenda was a resolution providing that distributions from the 2004 end of year fund balance in the Lafourche Board of Health Fund #109 (estimated at \$5,966,568) be included with any subsequent proceeds to be distributed as per the Rededication Proposition with (1) at least 50% for public health purposes, (2) at least 25% for Senior Citizens Programs, and (3) the remainder to either of the preceding uses or other uses as specified in the Rededication Proposition and that any prior appropriation of funds be adjusted to conform to such distribution. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Phillip Gouaux to discuss said resolution. A brief discussion ensued regarding clarifications. A second **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, to **defer** the resolution until a legal opinion is rendered by the District Attorney, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RESOLUTION WAS DEFERRED

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, to **return** to the regular agenda, and **carried** by a vote of nine (9) yeas and zero (0) nays.

President Randolph introduced Mr. Ray Cheramie, Director of the Department of Public Works, to give a report. Mr. Cheramie presented the Department of Public Works report and a Power Point presentation showing some of the work being done throughout the Parish:

Power Point slide: (tree clearing, 100 % complete)

Choupic Hwy 304 South: 9 of 16 cuts in the levee have been completed with bridges
3 cuts complete, bridges partially completed

Choupic Hwy 304 South: building the bridges at the cuts

DeGravelle Outfall (St John): completed

Valentine Pump (40 Arpent Canal): Hwy 308, 40 Arpent from Valentine to Lockport Company Canal
approximately 5 miles to be done, about 1/4 of a mile is completed

Degravelle Drainage Ditch completed

Devillier Drainage Ditch completed

Midway Drainage Ditch 60% completed

Lil Al's Levee (North Lafourche Drainage Dist.) 50% completed

Twin Oaks Reservoir completed

Twin Oaks Protection Levee completed

Howard Pertuit - Otto Candies Outfall completed

completed the clearing of trees along 40 Arpent Reservoir Canal (Raceland Area) Hwy 182 to Hwy 652

Daniel Hebert Outfall	completed
Parr Pump Road Canal	completed
East 12 th Outfall Canal	completed
started Loccoco Outfall on Monday, March 7, 2005	
Nolan Touns Project FEMA	completed
Satsuma Drive, canal	completed
David Cheramie, North Side	completed
East 73 rd Place Outfall Canal	completed
Whitney Galjour Outfall Canal	completed
started Jerry Savoie Outfall	(ROW Cleared)
40 Arpent Canal - Valerie Canal to Brenton Canal	85% complete
cleaning ditches on Laurel Valley Road	
recapping levee from Dirt Bridge (On the east side of pipeline) to St. James Bridge (Laf. Levee Basin Dist.)	90% complete
recapping levee from Shanney Bayou Bridge to Legendre Bridge, 1500 feet was completed	
St. Charles Bypass Road side ditches (rear section)	completed
in the process of prioritizing removal of trees across the Hollywood Canal and 40 Arpent Canal from Thibodaux to Hwy 182 with North Lafourche Levee District march buggy excavator.	

Mr. Daniel Lorraine asked Mr. Cheramie for an update on the West 122nd St. and West 123rd St. project (from LA 1 to 3235). Mr. Cheramie stated the project was on the list and would be done shortly.

ENGINEERING REPORT(S)

The next item on the agenda was a presentation of planned, presently on going, recently completed or other projects by appropriate engineering firms engaged by the Parish. Mr. Joe Picciola with Picciola & Associates, Inc. presented an engineering report and also handed out copies to the Council:

The FEMA Hazard Mitigation Plan: The plan was complete and was submitted. FEMA had submitted comments for incorporation. FEMA was requesting one final meeting of the Mitigation Plan Steering Committee. Once the meeting was complete and comments are incorporated, the Plan would be submitted to FEMA for final review.

The FEMA Hazard Mitigation Grant Program, Nolan Touns Drainage Project: The contractor was Sealevel Construction, Inc. They completed the entire project and was working on Final Punch List Items. Once the Final Punch List Items were completed, the Final Change Order to balance Final Contract Quantities would be submitted.

The FEMA Hazard Mitigation Grant Program, West Thibodaux Drainage Project: The project bid on December 21, 2004. Byron Talbot Contractors were the low bidders, in the amount of \$577,546.00. The concurrence was received from FEMA regarding the awarding of the original FEMA Approved Project, less the box culverts along Talbot Ave. and LA Highway 3185. The contract documents were sent to the Contractor for signatures and preparation of Performance and Payment Bonds. Once received, a schedule of a Pre-Construction Meeting would be held with the Contractor to begin the Project.

The FEMA Hazard Mitigation Grant Program, Twin Oaks Drainage Project: Project plans were complete. Advertisements for Bids would begin on Friday, March 11th and Bids would be received on April 12th at 10:00 a.m.

The FEMA Hazard Mitigation Grant Program, Clovelly Bridge Drainage Project: The project bid on November 18, 2004. Sealevel Construction were the low bidders, in the amount of \$211,028.00. The Pre-Construction Meeting was held with the Contractor on March 2nd and was expected to begin construction within the next month.

Fantastic Acres Pump Station Upgrades: The bids were received on January 19, 2005 at 10:00 a.m. LL&G Construction was the low bidders, in the amount of \$214,460.00. The Contract Documents were being sent to the Contractor for signatures and preparation of Performance and Payment Bonds. Once received, a Pre-Construction Meeting would be scheduled with the Contractor to begin the Project.

Gheens Pump Station Upgrades: The bids were received on February 3, 2005 at 10:00 a.m. LL&G Construction was the low bidders, in the amount of \$159,746.95. The Contract Documents were being sent to the Contractor for signatures and preparation of Performance and Payment Bonds. Once received, a Pre-Construction Meeting would be scheduled with the Contractor to begin the Project.

The Road Sales Tax District No. 2 - Phase IV: Project plans were complete and the final ride thru with the Councilmen and the Department of Public Works was performed. The issue regarding public/private streets were still being worked on with the Administration. Anticipated advertising for bids within a few weeks.

Coastal Zone Management - Small Dredge Demonstration Project: The project bid on October 26, 2004. Manson Gulf Contractors was the low bidders, in the amount of \$249,107.00. The contractor was complete with the Marsh Platform portion of the project. Once the Marsh Platform has settled appreciably, the Contractor would re-mobilize onto the project site to plant marsh grass. The Final Change Order to balance the Final Contract Quantities were currently being prepared to be submitted.

Mr. Kirk Trosclair with Duplantis Design Group, PC reported on the Marydale Community Waterline Improvements Project (DDG Project No. 04-334) and also handed out copies of his report to the Councilmen. He stated that the design was 85% completed. Mr. Trosclair said that there was one minor set back with the right-of-way issues on the Terrebonne Parish side. He said that they met with Terrebonne Parish Officials to discuss public right-of-ways versus private servitudes on the right-of-way. Mr. Trosclair then said that the issue may be resolved because Terrebonne Parish had gone before their Council for approval. He said after the right-of-way would be obtained, that they would be back before the Council to move forward.

LEGAL ADVISOR REPORT

The next item on the agenda was a motion to relinquish time to the Lafourche Parish Legal Advisor. District Attorney Camille Morvant was present, but did not give any reports.

Next, a **motion** was offered by Mr. Lindel Toups, seconded by Mr. Brent Callais, to **open** the **Executive Session**, and **carried** by a vote of nine (9) yeas and zero (0) nays.

EXECUTIVE SESSION

The next item (6) on the agenda was an Executive Session to discuss the following:

- a) Charles Banta, III, et al versus Lindel Toups, et al, Docket No. 100486
- b) The Board of Commissioners of the North Lafourche Conservation Levee and Drainage District versus Smithport Planting, Docket No. 86727
- c) Lafourche Real Estate versus Lafourche Parish Council, Docket No. 83939
- d) Lafourche Parish Council, et al versus Charles R. Banta, III, et al, Docket No. 97953

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to **close** the **Executive Session**, reconvene the meeting, and take any action necessary from Executive Session. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Lindel Toups, for the Administration to hire an engineer (to do soil sampling and any necessary testing), then come back to the Council with a recommended design, alternatives, and cost estimates for items "b" and "c" of the Executive Session. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

ORDINANCE FOR RATIFICATION AND DISCUSSION

The next item (7) on the agenda was an ordinance rescinding Ordinance No. 2795 and enacting a new ordinance stating that the street between West 55th and West 56th Streets is hereby considered to be West Avenue C, Ward 10, District 8 of Lafourche Parish; and authorizing the necessary placement of the new street name sign. (The Public Hearing for this item was held and the ordinance was then deferred, at the February 22nd LPC Meeting.) A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, to adopt the ordinance, and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3553 WEST AVENUE C, RESCINDING ORDINANCE NO. 2795

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Lindel Toups, to *open* the **Public Hearing & Ordinances for Ratification**, and *carried* by a vote of nine (9) yeas and zero (0) nays.

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (8) on the agenda was an ordinance declaring property belonging to the Lafourche Parish Council, as surplus property. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3554 DECLARING PROPERTY AS SURPLUS

The next item (9) on the agenda was an ordinance providing for a supplemental appropriation for the Lafourche Parish 2005 Operation and Maintenance Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Mark Atzenhoffer. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3555 SUPPLEMENTAL APPROPRIATION, 2005 OPERATION AND MAINTENANCE BUDGET

The next item (10) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision Regulations at French Turn Subdivision, Addendum No. 2, Ward 10, District 8, as recommended by the Lafourche Parish Planning Commission at their January 27, 2005 meeting. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3556 FRENCH TURN SUBDIVISION, ADDENDUM NO. 2 VARIANCE

The next item (11) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision Regulations at Elvin J. LeBlanc Subdivision, Addendum No. 1, Ward 4, District 7, as recommended by the Lafourche Parish Planning Commission at their January 27, 2005 meeting. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3557 ELVIN J. LEBLANC SUBDIVISION, ADDENDUM NO. 1 VARIANCE

The next item (12) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision Regulations at Highlands, Addendum No. 1, Ward 10, District 8, as recommended by the Lafourche Parish Planning Commission at their January 27, 2005 meeting. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3558 HIGHLANDS, ADDENDUM NO. 1 VARIANCE

The next item (13) on the agenda was an ordinance providing for the purchase of a parcel of property on the corner of Cypress Villa Lane and Shady Drive adjacent to the Jesse Dufrene Pump Station from its owner, Howard Dufrene for its appraised value of \$1,500; and authorizing the Parish President to sign all necessary documents. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Brent Callais. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3559 PURCHASING A PARCEL OF PROPERTY FROM HOWARD DUFRENE

The next item (14) on the agenda was an ordinance approving the attached servitude amendment with Dickie Bourgeois; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Lindel Toups. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3560 DICKIE BOURGEOIS, SERVITUDE AMENDMENT

The next item (15) on the agenda was an ordinance adding Section 14:151 to Sub-Chapter “D” of Chapter 14 of the Code of Ordinances for the Lafourche Parish Council as it pertains to the consumption of alcoholic beverages, liquor and malt beverages prohibited in public; and providing for penalties for violators thereof. Chairman Matherne asked if anyone from the public wanted to speak on the proposed ordinance. Constable Dwain LeBouef thanked the Council for an opportunity to speak on the issue. He said that he was the party responsible for pushing the issue. Constable LeBouef said that he was asking for this ordinance because he wanted another “working tool” for law enforcement to better deal with the loitering issues. He said he asked his Councilman, that being Mr. Mark Atzenhoffer, to assist him with passing an ordinance because there was a major problem in the Central Lafourche area. Constable LeBouef went into detail and stated his opinions of the problems regarding loitering. Mr. Lindel Toups asked Constable LeBouef if there was existing laws on loitering and urinating in public. Constable LeBouef replied as, “yes sir”. A brief discussion ensued pertaining to the enforcement of the laws, exemptions, and clarifications of licenses. A **motion** was offered by Mr. Mark Atzenhoffer and with no second the ordinance *died*.

ORDINANCE DIED, LACK OF A SECOND

Next, a **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux, to *close* the **Public Hearing & Ordinances for Ratification**, and *carried* by a vote of nine (9) yeas and zero (0) nays.

PROPOSED ORDINANCES

The next item (16) on the agenda was a proposed ordinance authorizing the signing of a servitude agreement between Frank Jay Stouder II and Robin Stouder Carroll to construct, operate and maintain a fifteen foot drainage and maintenance servitude plus the width of a swale ditch north of Terre Haute Subdivision and a twenty foot drainage and maintenance servitude plus the width of the ditch adjacent to Terre Haute Subdivision; and authorizing the Parish President to sign, execute, and administer said servitude agreements. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT BETWEEN FRANK JAY STOUDER II AND ROBIN STOUDER CARROLL

The next item (17) on the agenda was a proposed ordinance authorizing the signing of a servitude agreement between Jerry Ledet and Corina Pitre Ledet to construct, operate and maintain a fifteen foot drainage and maintenance servitude plus the width of ditch on the eastern side of Highway 3235 right-of-way line; and authorizing the Parish President to sign, execute, and administer said servitude agreement. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT BETWEEN JERRY LEDET AND CORINA PITRE LEDET

The next item (18) on the agenda was a proposed ordinance authorizing the signing of a servitude agreement between Eric John Vizier, by Attorney-in-fact, Nicolette Vizier to construct, operate and maintain a fifteen foot drainage and maintenance servitude plus the width of the ditch on the eastern side of Highway 3235; and authorizing the Parish President to sign, execute, and administer said servitude agreement. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT BETWEEN ERIC JOHN VIZIER, BY ATTORNEY-IN-FACT, NICOLETTE VIZIER

The next item (19) on the agenda was a proposed ordinance authorizing the signing of a servitude agreement between John P. Parr to construct, operate and maintain a twenty foot drainage and maintenance servitude, plus the width of the ditch along Highway 1 to the Parr Pump Station; and authorizing the Parish President to sign, execute, and administer said servitude. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT BETWEEN JOHN P. PARR

The next item (20) on the agenda was a proposed ordinance authorizing the signing of a servitude agreement regarding Acadia Plantation 40-Arpent Drainage; and authorizing the Parish President to sign, execute, and administer said servitude. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT REGARDING ACADIA PLANTATION 40-ARPENT DRAINAGE

The next item (21) on the agenda was a proposed ordinance creating a policy stating that any parish board, agency, or non-profit organization that requests any funds from the parish must provide the Council with a copy of their current audited financials prior to the parish transferring the funds, and also request that the Lafourche Parish Finance Department review the audit financials and give a report to the Council on their findings. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE CREATING A POLICY

The next item (22) on the agenda was a proposed ordinance designating that all future division of land for development that surrounds East 40th Street (Bayou L' Ours Road), the landowner will be required by the Lafourche Parish Council to meet the subdivision regulations and install the required water lines (nothing smaller than eight inches) and fire hydrants; and providing for penalties for violators thereof. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE EAST 40TH STREET (BAYOU L' OURS ROAD)

The next item (23) on the agenda was a proposed ordinance de-dedicating the last 380 feet of West 17th Street, Ward 10, District 8 of Lafourche Parish. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE DE-DEDICATING LAST 380 FEET OF WEST 17TH STREET

The next item (24) on the agenda was a proposed ordinance authorizing the purchase of the building located at 200 West 2nd Street in Thibodaux, Louisiana, more commonly referred to as the Whitney Building from Whitney National Bank to house the District Attorney's Office and a portion of the Sheriff's or for any other parish use; to authorize purchase for the appraised value of \$2,500,000.00 less the amount of \$20,000.00 previously paid as a deposit; to authorize the expenditure of an amount not to exceed

\$500,000.00 for the performance and completion of the recommended renovations and repairs on said building; to authorize the Parish President to sign any and all necessary sale documents; to forward a certified copy to all parties; and to provide for publication in the Official Journal. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE PURCHASING THE WHITNEY BUILDING

The next item (25) on the agenda was a proposed ordinance prohibiting “loitering” on East 95th Street, Ward 10, District 9 of Lafourche Parish; authorizing the installation of the necessary no loitering signs; and providing for penalties of violators thereof. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE PROHIBITING “LOITERING” ON EAST 95TH STREET

The next item (26) on the agenda was a proposed ordinance establishing a twenty-five (25) miles per hour speed limit on East Fontinelle Street and fifteen (15) miles per hour in front of the Head Start School; authorizing the installation of the necessary speed limit signs; and providing for penalties of violators thereof. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE 25 MPH SPEED LIMIT ON EAST FONTINELLE STREET AND 15 MPH IN FRONT OF THE HEAD START SCHOOL

The next item (27) on the agenda was a proposed ordinance reducing the speed limit from twenty-five (25) miles per hour to fifteen (15) miles per hour on Prim Rose Drive, Ward 6, District 2; authorizing the installation of the necessary speed limit signs; and providing for penalties of violators thereof. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE REDUCING THE SPEED LIMIT FROM 25 MPH TO 15 MPH ON PRIM ROSE DRIVE

The next item (28) on the agenda was a proposed ordinance adding Section 25:23(B) to Sub-Chapter “A” of Chapter 25 of the Code of Ordinances of the Lafourche Parish Council as it pertains to sizes of culverts to be used in the parish unless otherwise specified in writing by the Director of the Department of Public Works or a certified Civil Engineer. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SIZES OF CULVERTS

The next item (29) on the agenda was a proposed ordinance amending and re-enacting Section 15:75 of Sub-Chapter “E” of Chapter 15 of the Code of Ordinances for the Lafourche Parish Council, to change the term “No Wake Zone” to “Idle Speed Only”, to add a definition for “Idle Speed Only” and sign requirements; and providing for penalties of violators thereof. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE “NO WAKE ZONE” TO “IDLE SPEED ONLY”

RESOLUTIONS

The next item (30) on the agenda was a resolution requesting that the Parish President shall serve as a voting member on the Community Action Advisory Board. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Tyrone Williams to adopt said resolution. A brief discussion ensued pertaining to the Parish President and if the position on the board should be as a voting member or a non-voting member. Mr. Atzenhoffer stated that the Community Action Board had requested it to be as a non-voting member. After further discussion, Mr. Atzenhoffer *removed* his motion and Mr. Williams removed his second. A new **motion** was then offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to **table** the resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RESOLUTION WAS TABLED

The next item (31) on the agenda was a resolution appointing Joe Mickles as an alternate to Councilman Daniel Lorraine on the Detention Center Improvement Subcommittee. A **motion** was offered by Mr. Daniel Lorraine and seconded by Dr. Tommy Lasseigne to adopt said resolution. A brief discussion ensued pertaining to Ordinance No. 3490, which created the Detention Center Improvement Subcommittee, and if it allowed for alternates. Mr. Lorraine stated that he would propose an amendment to Ordinance No. 3490 at the next meeting to allow for alternates. After further discussion, Mr. Lorraine **removed** his motion and Dr. Lasseigne removed his second. A new **motion** was then offered by Mr. Daniel Lorraine, seconded by Dr. Tommy Lasseigne, to **defer** the resolution until the next meeting, and **carried** by a vote of nine (9) yeas and zero (0) nays. Chairman Matherne requested that the Minute Clerk, Ms. Ella Dupre, research the minutes and to also have a copy of the ordinance that created the Subcommittee for the next Lafourche Parish Council meeting.

RESOLUTION WAS DEFERRED

The next item (32) on the agenda was a resolution appointing Ms. Marilyn Kilgen to the Lafourche Commission for Women Board to fill one of three vacancies. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Lindel Toups to adopt said resolution. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-048 APPOINTING MS. MARILYN KILGEN TO THE LAFOURCHE COMMISSION FOR WOMEN BOARD

The next item (33) on the agenda was a resolution re-appointing Mr. Bruce L. McManis, Mr. James L. Barnidge, and Mr. Charles P. Maggio, to the Home Mortgage Authority Board. A **motion** was offered by Mr. Brent Callais and seconded by Dr. Tommy Lasseigne to adopt said resolution. An **amendment** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, to add “*Mr. Jeremiah J. St. Pierre*” to the resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-049 RE-APPOINTING, HOME MORTGAGE AUTHORITY BOARD

The next item (34) on the agenda was a resolution asking the Governor of the State of Louisiana to appoint Ms. Cathy Blanchard to the Louisiana Wild Caught Shrimp Trade Action Advisory Council. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais to adopt said resolution. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-050 APPOINTING MS. CATHY BLANCHARD TO THE LOUISIANA WILD CAUGHT SHRIMP TRADE ACTION ADVISORY COUNCIL

The next item (35) on the agenda was a resolution providing increased funding and a cooperative endeavor agreement to support 2005 funding levels for operational and capital expenses of the Council on Aging, Inc.; and authorizing the Parish President to sign, execute and administer an amended agreement. A **motion** was offered by Mr. Lindel Toups and seconded by Dr. Tommy Lasseigne to adopt said resolution. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-051 2005 FUNDING LEVELS FOR OPERATIONAL AND CAPITAL EXPENSES OF THE COUNCIL ON AGING, INC.

The next item (36) on the agenda was a resolution requesting the Lafourche Parish Council to review and approve the Lafourche Parish Head Start Impasse policy and procedure, per the Head Start performance standard #1304.50(h). The Lafourche Parish Head Start Policy Council approved the policy on January 10, 2005. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Lindel Toups to adopt said resolution. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-052 LAFOURCHE PARISH HEAD START IMPASSE POLICY & PROCEDURE

The next item (37) on the agenda was a resolution approving the contract(s) between Lafourche Parish and Sealevel Construction, Inc., for the sum of \$245,000.00 for the kennel building portion of the revised animal shelter project, with the total amount of 26 kennels; and authorizing the Parish President to sign and administer said contracts. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups to adopt said resolution. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

RES NO. 05-053 SEALEVEL CONSTRUCTION, INC., ANIMAL SHELTER PROJECT

The next item (38) on the agenda was a resolution approving the contract between Lafourche Parish and Nick Martinolich, Inc., for the sum of \$13,000.00 for the movement of the administration building for the revised animal shelter located presently at 1425 Tiger Drive, Thibodaux, to its final location of West Thibodaux, By-Pass Road (Detention Center site); and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Daniel Lorraine to adopt said resolution. Mr. Lindel Toups asked how big was the building. Dr. Tommy Lasseigne responded that the building was 30 feet by 60 feet. Mr. Toups then asked if any one thought that the cost was too expensive and if the Parish had bids on the project. Mr. Cullen Curole, Parish Administrator, stated that the Parish did go out for bids and Nick Martinolich, Inc. was the only bidder. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

RES NO. 05-0 NICK MARTINOLICH, INC., MOVEMENT OF THE ANIMAL SHELTER ADMINISTRATION BUILDING

The next item (39) on the agenda was a resolution approving the contract(s) between Lafourche Parish and M & H Builders, Inc. for the sum of \$109,290.00 for the finishing of the office building of the revised animal shelter project; and authorizing the Parish President to sign and administer said contracts. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Daniel Lorraine to adopt said resolution. Mr. Brent Callais asked if the plumbing work included the connections to the sewer or was it just minor interior plumbing. Mr. Richard Weimer, Architect for the project, stated that it included all the plumbing in the building and connecting to the main sewer line (which would be constructed under the kennel project). Mr. Callais then asked what was the site paving. Mr. Weimer said that it was the parking lot. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

RES NO. 05-055 M & H BUILDERS, INC., FINISHING OF THE ANIMAL SHELTER OFFICE BUILDING

Chairman Matherne stated that the Council would vote on the exact written language (provided by Dr. Tommy Lasseigne) for the resolution pertaining to item #40, requesting the opinion of the District Attorney or the Attorney General, which read as *“Should the fund balance which existed prior to the rededication election be included in the distribution schedule of the proposition with: (1) at least 50% for the Public Health purposes, (2) at least 25% for Senior Citizen programs, and (3) the remainder to either of the preceding uses or other uses as specified in the rededication proposition and/or provide any additional interpretation as may be deemed appropriate”*. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, to accept the written language, and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (42) on the agenda was a resolution supporting the bill referred to as the “Disaster Prevention Protection Act of 2005” being submitted by Congressman Bobby Jindal and Senator David Vitter that will amend the Internal Revenue Code of 1986 to exclude disaster mitigation payments from gross income. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to adopt said resolution. Dr. Tommy Lasseigne asked if Congressman Jindal and Senator Vitter were the only two members of the delegation that submitted the bill or should it instead state “the Louisiana Delegation”. Mr. Mark Atzenhoffer explained that Congressman Jindal was the primary author of the piece of legislation for

Louisiana and Senator Vitter was the primary author on Legislation in the Senate. He further stated that it was a concurrent bill. An **amendment** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, to remove “~~submitted by Congressman Bobby Jindal and Senator David Vitter~~” and being replaced with “**supported by Louisiana Delegation**”. The amendment *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Lindel Toups. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-056 DISASTER PREVENTION PROTECTION ACT OF 2005

The next item (43) on the agenda was a resolution requesting the Administration not to award any other contracts to Richard Weimer Architect AIA LLC for one calendar year starting March 1st for failure to respond to the governing authorities request to appear at a Council meeting. Chairman Matherne stated that this resolution was *pulled*.

RESOLUTION WAS PULLED

The next item (44) on the agenda was a resolution requesting the Administration to add into all future contracts that anyone who enters into a contract with the Parish must appear before the Council when requested and failure to appear is just cause to terminate their contract. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to adopt said resolution. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Michael Matherne.

RES NO. 05-057 FUTURE CONTRACTS AND APPEARING BEFORE THE COUNCIL

The next item (45) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to designate a “No Parking” zone along the south side of West 177th Street on Louisiana Highway 1. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais to adopt said resolution. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

RES NO. 05-058 “NO PARKING” ZONE ALONG SOUTH SIDE OF WEST 177TH STREET

The next item (46) on the agenda was a resolution requesting the Lafourche Basin Levee District to sweep and clean Mid-way Canal No. 1, south to the Raceland junction of Louisiana Highway 182 between Old Highway 90 and the railroad tracks. A **motion** was offered by Mr. Michael Delatte and seconded by Dr. Tommy Lasseigne to adopt said resolution. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-059 SWEEPING AND CLEANING MID-WAY CANAL NO. 1

DISCUSSIONS

The next item (47) on the agenda was a discussion concerning Morristown Project. Dr. Tommy Lasseigne asked for an update on the Morristown Project.

Mr. Cullen Curole, Parish Administrator, stated that it was his understanding that South Central Planning was trying to get something in writing from the Engineer, of what he would charge the Parish to attach the sewer system to one of the landowner’s shed. He then said that the landowner was asking for more than the appraised value of the land. Mr. Curole said that the Administration was not sure where the project was going because they had not yet received anything from anybody in writing.

Mr. Mark Atzenhoffer said that he had met with the landowner several days before and was trying to work a deal with him. He said that a meeting was to be held at the end of the week with the landowner, Administration, South Central Planning, and the Engineer of the project to make a decision. Mr. Atzenhoffer explained that there was a three month extension and that the Council would have to make a decision of either paying extra for the land, expropriating the land, or dropping the project.

Mr. Tyrone Williams asked if this was affecting the Marydale Project. President Randolph stated that if the Morristown Project would be dropped, that the Marydale Project would probably be moved up.

Mr. Lindel Toups asked if the Parish could give the landowner more than the appraised value.

President Randolph responded as no and that was why they needed something in writing. A brief discussion ensued pertaining to litigation costs and of possible expropriation.

The next item (48) on the agenda was a discussion concerning the implementation schedule on road projects in Road Sales Tax Districts 3, 5, and 6. Dr. Tommy Lasseigne asked for clarification and an update on the projects. President Randolph stated that the Engineers would receive letters to proceed on certain streets.

The next item (49) on the agenda was a discussion concerning the Veteran's Memorial District. Mr. Mark Atzenhoffer stated that he had received some concerns pertaining to the vans purchased for the Veteran's Memorial District and of them just sitting at Golden Motors. He asked for the status on the vans. Mr. Daniel Lorraine explained that the vans were paid for and that they were working on getting drivers.

The next item (50) on the agenda was a discussion concerning Resolution No. 04-061 as it pertains to maritime curfews on parish and state bridges in the South Lafourche community. Mr. Daniel Lorraine asked for an update from Mr. Cullen Curole about the resolution that the Council had passed back in July, asking the Louisiana Department of Transportation and Development and the Coast Guard about curfews. Mr. Lorraine said that it was his understanding that in January the Administration had received some correspondence that requested additional information. Mr. Curole requested that Mr. Lorraine send him a copy of the letter, because he was not familiar with any correspondence, so he could look into it. Mr. Brent Callais said that it pertained to the boat and vehicle traffic per day. He stated that Mr. Sturgeon Broussard from the Galliano Field Office had said that they had information on file as a daily log. Mr. Callais said that he could get copies of the requested information.

The next item (52) on the agenda was a discussion concerning Pictometry. Chairman Matherne asked the Administration for the status on this item and if they had decided on a dollar value that the Parish could afford to contribute to Pictometry. Mr. Cullen Curole stated that he had discussions with Ms. Katie Zeringue (ENP and 911 Administrator for the Lafourche Parish Communications District) and the various entities that were participating and/or not participating with the project. He said that it would basically amount to 15% of the total cost, which was less than what was originally requested. Mr. Curole said that he did not remember the specific numbers, but the first year would be approximately \$18,832 and the second year would be \$17,000 something.

Mr. Phillip Gouaux said that he spoke with Ms. Zeringue and she was asking for a commitment from the Council. Mr. Curole said that she had requested something in writing, so he had sent Ms. Zeringue an email. He said that the Council had already given enough discretion to proceed.

A brief discussion ensued pertaining to passing a resolution for the Parish to participate in the Pictometry project.

Discussions continued to what the project would entail and if particular areas could be excluded. Mr. Richard Poche (GIS Coordinator for the area) with South Central Planning said that he had a representative from Pictometry to answer any questions. Mr. Gary Mirabeau with Pictometry responded to Mr. Matherne's question of excluding certain areas as "no", that it could not be done that way.

Mr. Matherne then asked if the Parish could pass an ordinance allowing residences to opt out. Mr. Mirabeau said that it was impossible because they fly at 2,000 feet and at 6,000 feet and the cameras catch everything on the ground. Further discussions ensued on why it should or should not exclude areas.

Dr. Tommy Lasseigne expressed his reservations regarding the dollar amount and the percentage that the Parish Council would be paying relative to Lafourche Parish. He also mentioned that he thought that the Council would not use the Pictometry as much as all the other entities. Dr. Lasseigne also said that it was a reasonably higher percentage rate compared to the use that the Council would generate from it.

Mr. Brent Callais asked Mr. Ray Cheraime how much would this Pictometry project benefit the Department of Public Works. Mr. Cheraime responded that he thought that it would be used quite a bit.

The next item (53) on the agenda was a discussion concerning an update on a possible new Galliano bridge. Mr. Daniel Lorraine stated that he had a few constituents on the eastside of Highway 308 and on LA 1 concerned about the Galliano bridge. He suggested to President Randolph that a meeting be held with the people to give them a background of what was going on. Mr. Lorraine went into further detail of the concerns.

Mr. Brent Callais agreed that a meeting should be held because one of the residents that would be affected, had contacted him. He said that she wanted to know who she needed to send the appraisal of her place to. Mr. Callais said that a lot of questions were being asked and it would be nice to have answers.

President Randolph said that there are no answers right now and that it was up for discussion. She stated this type of project does not happen over night and therefore a \$15 million project would probably take more than two to three years.

Mr. Lindel Toups asked for clarification regarding the bridge in question. Mr. Lorraine clarified that they were looking into changing the location of the existing Galliano bridge.

The next item (54) on the agenda was a discussion concerning an audit liaison to the parish Council. Chairman Matherne stated that this item was *pulled* from the agenda.

Mr. Tyrone Williams requested further discussion on item (47) concerning the Morristown project. Mr. Williams asked Mr. Mark Atzenhoffer about the conversation that he had with the landowner. Mr. Atzenhoffer stated that he spoke with the landowner over the phone. Mr. Williams asked how much was he asking for the land. Mr. Atzenhoffer responded that he was asking for \$5,800, plus the hook up. Mr. Williams then asked what the State allowed as payment. Mr. Atzenhoffer replied that the appraised price was \$1,800. A brief discussion ensued pertaining to the funds which could pay for the land purchase and of the laws that needed to be followed.

Mr. Lindel Toups asked Mr. Atzenhoffer if the land owner would benefit from the project. Mr. Atzenhoffer said at the current time, he did not fall into being hooked up to the Morristown project because he was on the other side of the street. He said that the option of being hooked up was being offered to him. Further explanations and debates ensued.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and *carried* by a vote of six (6) yeas and three (3) nays, that being of Mr. Mark Atzenhoffer, Dr. Tommy Lasseigne, and Mr. Lindel Toups, to *open* a Two-Thirds Agenda.

From this point, Vice-Chairman Atzenhoffer presided over the meeting.

TWO-THIRDS AGENDA

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Daniel Lorraine, to adopt a resolution, to include the Parish into the Pictometry contract for a two year period, at a cost not to exceed 15% of the total cost, and not to exceed \$19,000 a year.

Mr. Michael Matherne stated his concerns regarding the Pictometry project in Lafourche Parish. He explained that it was partly because of our strategic industries and making that information available would breach security. Mr. Matherne said that he did not like the fact that it was also invade the general privacy of residents in Lafourche Parish. He said that he thought the project was well intended and he saw the uses that the Parish would have, but thought it was scary technology. Mr. Atzenhoffer then stated that if the Government would want it, that they should also fund it.

Mr. Phillip Gouaux said that the Council needed to look beyond today and way the differences. He stated his opinions on the intentions and the security of the project.

Mr. Gary Mirabeau with Pictometry said that the security is set up by the Parish. He said that Pictometry would provide the Parish with a complete library. He explained how images could be removed and how the Parish would have the control over the security of the system.

Dr. Tommy Lasseigne said that he thought the cost sharing was not proportionate. He stated that he wanted what was in the best interest of the residents of the Parish, and that it was not, if they could not use the system.

Mr. Brent Callais made a comment about a previous statement that was made pertaining to the Parish having control over the security. He said that the Parish/Council would not be able to control what the other entities (the Assessor, the School Board, the Town of Golden Meadow, and the Town of Lockport) would do and who they would give access to of the system. Mr. Callais said that he thought it was too much money, for very little benefit.

Dr. Eugene Dial said that it was his understanding that all records of public agencies were of public record. He asked how the public could be denied access of the system because of the public records law. Mr. Mirabeau said that the images were owned by Pictometry and that the images were licensed. He explained that it was a turn key system, which was licensed.

Mr. Callais relinquished his time to Mr. Beasley. Mr. Beasley said that the technology was already available at no cost. He thought that the "State Land Office" already had the information. Mr. Beasley said that they have Arial photos of all of Lafourche Parish and all over the state. He said that it was his understanding that they have the names and locations of property owners.

Mr. Gouaux said that Mr. Beasley was correct in his statements, but that was not everything. He then said that the Council was the last entity to give the authority to go forward with the project.

Mr. Callais said that it was his opinion that the Council had given the authority to the Administration to research the feasibility and to find any available money for the project. He said that it was also his understanding that the Council did not give the authority to sign contracts and go forward with the project.

The resolution *carried* by a vote of six (6) yeas and three (3) nays, that being of Mr. Michael Matherne, Dr. Tommy Lasseigne, and Mr. Brent Callais.

RES NO. 05-060 INCLUDING THE PARISH INTO THE PICTOMETRY CONTRACT

A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Brent Callais, and *carried* by a vote of nine (9) yeas and zero (0) nays, to *close* the Two-Thirds Agenda.

ADJOURNMENT

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Matherne, and with no further business, the Lafourche Parish Council Meeting of March 8, 2005 **adjourned** at 9:32 p.m.

**MICHAEL MATHERNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

**SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL**