

MARCH 27, 2007
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 27, 2007 AT 6:00 P.M., AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HIGHWAY 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Dr. Tommy Lasseigne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 6:04 p.m.

Chairman Lasseigne announced that the invocation would be led by Mr. Mark Atzenhoffer. The Council then recited the Pledge of Allegiance led by Mr. Lindel Toups. Proceedings of the meeting were called to order with the following:

PRESENT:	Mr. Michael Delatte	Mr. Michael Matherne
	Mr. Lindel Toups	Mr. Phillip Gouaux
	Dr. Tommy Lasseigne, Chairman	Mr. Tyrone Williams
	Mr. Brent Callais	Mr. Daniel Lorraine, Vice-Chair
	Mr. Mark Atzenhoffer	
	Mrs. Charlotte Randolph, Parish President	

ABSENT:

APPROVAL OF COUNCIL MINUTES

The first item (1) on the agenda was a motion to accept the minutes of the March 13, 2007 Regular Session meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to accept the March 13, 2007 minutes. The 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 March 20, 2007 Special Session meeting, if available. The March 20, 2007 Special Session meeting minutes were not available at the time of the March 27, 2007 meeting.

PROCLAMATIONS

The next item (3) on the agenda was a proclamation declaring April 15-21, 2007 National Library Week. **Mr. Matherne stated that they wanted to proclaim the stated week as National Library Week and also that copies of the proclamation be sent to all parish and school libraries in Lafourche Parish.** Mr. Matherne then read the Proclamation declaring April 15th through April 21st, 2007 National Library Week. Mr. Matherne thanked President Randolph for doing the proclamation.

PUBLIC WISHING TO ADDRESS THE COUNCIL

The next item on the agenda was the Public to address the Council.

Mr. Rickey Comardelle, a resident of North Service Road, first addressed the Council in detail regarding hotels in Lafourche Parish and economic development. He asked what the Lafourche Parish Economic Development Department had to offer? Mr. Comardelle explained that he had contacted the

department and stated that what he had found out was that there were no other incentives to build in Lafourche Parish than what was offered in other parishes. He explained his reasons for asking this question and elaborated on same. He spoke at length regarding what incentives Lafourche Parish offered regarding bringing hotels into the area and also the lack thereof. Mr. Comardelle voiced that Lafourche Parish offered no more than the State offered. He continued to question what would stop people from building in other parishes. Mr. Comardelle spoke of the number of hotels built in Terrebonne as well the number currently under construction. He then spoke of the number of hotels built in Lafourche as well as the number currently under construction and/or planning. Mr. Comardelle explained in detail the monies that could be generated by these hotels being in Lafourche Parish. He continued to speak on the matter at length and to question as to what Lafourche Parish could do to have these hotels want to build in Lafourche Parish. President Randolph stated that she was not aware of any inducements that Terrebonne Parish or St. Charles Parish offered. She stated that both were along heavily traveled throughways, particularly Louisiana Highway 90, which she said would eventually become I-49. President Randolph stated that she was aware that there were two (2) more hotels planned in South Lafourche and that there was also two (2) in Thibodaux. She said that there was obviously some attraction to Lafourche Parish. President Randolph continued to speak briefly on the matter. She then stated that the inducements were something that the legislative department was involved in, mentioning the Enterprise Zone, where the Parish rebated sales tax for construction and also that most of the state laws on the books was what was followed by the Parish. President Randolph then stated that the Enterprise Zone in Terrebonne was much more stringent than in Lafourche and further that St. Charles Parish did not even offer the Enterprise Zone monies. She continued to elaborate on the matter. A lengthy discussion ensued on the topic. Mr. Mark Atzenhoffer stated that he was interested in the matter and the bringing of people here. He asked that Mr. Comardelle furnish him any contacts that he may have so that they could speak to them, adding that if there was something that needed to be done legislatively to make it easier that they could do so. Mr. Comardelle stated that he would furnish Mr. Atzenhoffer with the names of the contacts after the current meeting. Lengthy and detailed discussions continued.

Mr. Alces Adams, resident of East 37th Street, next addressed the Council. He explained that earlier on the present day that he had seen the Parish digging ditches on the street he resided on and stated further that an excavator which was digging the ditch was putting the dirt from the ditch into a dump truck parked next to it. Mr. Adams stated that the dirt was being hauled somewhere to South Lafourche. He stated that the Parish owned the right-of-way of the ditch but that his mother owned the property. Mr. Adams stated that basically the Parish was taking his mother's dirt away and added that that was not right. He stated that he had spoken to the work crew present and stated that they then started putting the dirt on his mother's property. Mr. Adams stated that he wanted to make the Council aware that this was occurring. He continued to briefly speak on the matter.

The next person wishing to address the Council was Mr. Charlie Callais. Chairman Lasseigne advised Mr. Callais that he had addressed the Council twice previously on the same topic and further that there was in the Council's bylaws a guideline that a member of the public could not address the public more than twice on a subject. He advised Mr. Callais that he would allow him three (3) minutes to address the Council and further that additional time would only be given if a council member wished to grant the same. Mr. Charlie Callais, a resident of Cut Off, then addressed the Council in lengthy detail regarding coastal erosion and his proposed solution to coastal erosion. Mr. Cullen Curole, Parish Administrator, stated that with that the Coastal Wetlands Planning Protection and Restoration Act (CWPPRA) process had room for demonstration projects. He then spoke about another citizen of the parish who for possibly the second year was one (1) of the top ranking ideas going through and which may eventually be funded by the CWPPRA project. Mr. Curole stated that \$2 million was not a lot of money to CWPPRA, saying they spent that on demonstration projects but that the process did not work the way that Mr. Callais was describing. He explained to Mr. Callais that he did not know of a system where public funds could be given to someone

so that they could give their idea. Mr. Curole continued to speak briefly on the matter. President Randolph then stated that speculation was not something that could be done with public money, saying that that was gambling. She voiced that if the idea was paid for and it did not work that the Parish would have to explain to people why \$2 million was spent but the idea did not work. President Randolph stated that she knew that Mr. Callais believed that the system would work and that she would like to believe in him as deeply as he did in his idea but that to be able to say the money could be fronted to Mr. Callais and then see how it worked. She suggested that Mr. Callais sit down with the Corps of Engineers regarding his idea. Detailed discussions continued on the matter, with Mr. Curole and Mr. Gouaux offering various suggestions to Mr. Callais as to whom to go to with his ideas.

PRESENTATIONS

The next item (4) on the agenda was Mr. Leonard St. Pierre, with Hospital Service District No. 2, who gave an annual report. Mr. Leonard informed the Council that Mr. Milton Bourgeois was on his way and apologized for him being late. He stated that the District had previously provided the Council with their report, adding that the current report would be the first report given since their affiliation with Ochsner. The report given by Mr. St. Pierre contained such topics as Capital Improvements accomplished in the current year and the costs associated with them, various equipment and machines, their goal to improve and expand the infrastructure of the facility to support an increase and also improvement in the medical staff. He went on to say that the Capital Budget for 2007 improvements contained such things as the improvement of the fire alarm system at the costs of \$400,000, the ultrasound unit at the costs of \$150,000, replacement of hospital windows, small capital allowances, surgery instrument improvement and other various improvements. Mr. St. Pierre then informed the Council that bids had just been received on a project pertaining to Labor and Delivery improvements, which he said had been awarded to Lamar Construction, adding that the total project was \$1.1 million. He then stated that he had Request for Proposals out with regards to the changing out of the electrical system, saying it was \$1.8 million. Mr. St. Pierre stated that Phase I of the replacement of the fire alarm system was \$200,000 and that lobby renovations would be \$500,000. He said that they anticipated having those bids in the spring of 2007. Mr. St. Pierre informed the Council that they had currently implemented a video conferencing system, which he said allowed the hospitals personnel and staff to conduct rounds with the personnel at Ochsner and also any in-service programs which were being conducted at Ochsner. Mr. St. Pierre stated that all of their employees had switched over to the Ochsner payroll system and benefit plan as of January 1, 2007. He stated that they were beginning the process of strategic planning for a medical office building. Mr. St. Pierre stated that one thing that was being realized was that as they increased medical staff that the only limiting factor would be available office space. He then spoke about the institution of a wound care clinic and added that the clinic had exceeded their expectations. Mr. St. Pierre then began to speak of 2007 initiatives for Ochsner/St. Anne, mentioning the performance of 1,200 health screenings. He explained that the millage that was being collected would be returned to the residents of the District through health screenings. Mr. St. Pierre stated that in the current year they had conducted over 1,000 health screenings and was anticipating that amount to increase to 1,200 health screenings. He continued to speak in detail, including such things as recruitment of physicians, the plans for a breast center and goals. Mr. Milton Bourgeois then spoke of the merger between the two (2) hospitals and recalled that there had been numerous public meetings. He said at those meetings it had been stated that they had a budgeted anticipated Capital Expenditure over the fifteen (15) years of the life of the agreement in the neighborhood of \$17 million. Mr. Bourgeois stated that the capital improvements spoke about earlier by Mr. St. Pierre in the first ten (10) months of the affiliation that have been spent or committed totaled approximately \$5,600,000, not including the "PAC" system. He stated that they were in the strategic planning process for a medical office building, saying that a 20,000 to 40,000 building was being looked at to house physicians that would be brought to the Central Lafourche area. Mr. Bourgeois stated that when they had done their presentation that this had not been included in the \$17

million mentioned. He then gave estimated costs for the proposed building estimating it to be about an additional \$5 million expenditure. Mr Bourgeois continued to briefly speak on the matter. Mr. Atzenhoffer asked what the millage being collected by the District was being used for, to which Mr. Bourgeois explained that the District collected two (2) mils, which he said was approximately \$130,000. He said that in an agreement the millage was dedicated to providing wellness programs for the residents of the Central Lafourche area, saying that it was more than health screenings. Mr. Bourgeois stated that they would be identifying wellness programs, saying that it would be free for the residents as it was dedicated to. He said that the agreement called for the District to use the money it needed to operate and anything additional to be used for wellness programs in the Parish. Mr. Bourgeois stated that the District received money from two (2) sources, that being from a two (2) mil millage and in addition, lease money from a building owned by the District. He stated that the lease generated approximately \$150,000 a year and would also be used for wellness programs. Mr. Bourgeois continued to elaborate on the matter. Mr. Matherne thanked Mr. Bourgeois and the Commissioners for the Special Services District. He spoke of the various questioning at the beginning as to how efficiently it would run and that people were not sure what to expect. Mr. Matherne complimented Mr. Bourgeois on what had been done. He then asked how many beds were at St. Anne, to which Mr. Bourgeois responded that St. Anne was classified as a critical access hospital and was limited to thirty-five (35) beds. Mr. Matherne then asked what was capacity, to which Mr. Bourgeois stated that at one time the hospital was licensed for 119 beds but that it was never a 119 bed hospital. He stated that the current capacity in the existing building would be approximately sixty (60) to sixty-five (65). Mr. Bourgeois continued to briefly speak on the matter, including a brief history on the licensing of the hospital and the current census of approximately mid to high twenties. Mr. Matherne then asked if mental health services were still offered at the hospital? Mr. Bourgeois stated yes, saying that there was a ten (10) bed psychiatric ward, mentioning that they were in diversion at the present time. He stated that the State had a critical shortage of psychiatric care, describing it as an absolute and critical shortage of psychiatric care. Mr. Bourgeois commented on the non-ability to find people to run the ward, adding that a 100 bed ward could be had in the unit and it would be full. Discussions then ensued on the matter.

Mr. Atzenhoffer stated that Mr. Kevin Belanger, South Central Planning and Development Commission, was present and then yielded him some time in order to update the Council on inspections. Mr. Belanger began by introducing himself and then began a brief overview as to what they had been doing with the building code enforcement program. He explained that he had at a previous meeting of the Council announced that the Department of Public Safety had provided to them \$1,170,000 to get the process kicked off and that they were hopeful to bring out approximately six (6) different professions those being a CBO (Certified Building Official), Plan Reviewers, Inspectors, Accountants, Communication Specialists and also an Information Technology position. Mr. Belanger informed the Council that there had been advertisements in all of the local papers in all of the regions and parishes. He stated that they had been happy to see that there was a vast amount of knowledge in building and development. Mr. Belanger stated that from the advertisements they were able to draw approximately sixty (60) resumes of which they narrowed down to approximately twenty-five (25) people to interview. He said that they had interviewed twenty-five (25) people for inspectors and also plan reviewers. Mr. Belanger stated that they had selected several people from the Lafourche area and then named those as being Mr. Tony Breaux, Mr. Bill Pousson, Mr. Terry Talbot and Mr. Joseph Delcambre. He made a brief comments as to the residence of Mr. Talbot. Mr. Belanger then explained that the individuals named were currently obtaining training at the present time, explaining that they went to their office everyday and was provided with necessary training. He informed the Council that Friday, April 30, 2007 would be the first test for the individuals hired on which he said they had to obtain five (5) different disciplines. He named those disciplines as mechanical, plumbing, electrical, structural and energy efficiency. Mr. Belanger stated that individuals were on the way to becoming certified in all disciplines for the benefit of the Parish and the public. He said that they had already began the process in St. James and St. John and that things were going smooth. Mr. Belanger reported that commercial plans

were going to the State Fire Marshall and that they were reviewing all residential plans, new additions and renovations. He said that they were very optimistic that this would go off without a hitch, adding that any new program would probably unveil some hidden surprises but none the less that they were ready for them. Mr. Belanger continued to briefly speak on the matter.

Mr. Brent Callais offered a **motion** to deviate to Item (24) on the agenda, seconded by Mr. Mark Atzenhoffer and **carried** by a vote of nine (9) yeas and zero (0) nays.

Mr. Michael Matherne offered a **motion** to open public hearing, seconded by Mr. Brent Callais and **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (24) on the agenda was an ordinance accepting the Hurricane Rita Surge Inundation and Advisory Base Flood Elevation Maps as issued by FEMA as the parish's official flood elevation reference as they pertain to the unincorporated areas of Lafourche Parish. Chairman Lasseigne asked once if anyone from the public wanted to speak on the proposed ordinance. Mr. Roger Bourgeois addressed the Council and voiced in detail the reasons for his opposition to the adoption of the Advisory Base Flood Elevations, as well as how things were going in Terrebonne Parish regarding this matter. Mr. Dwayne Bourgeois next addressed the Council and voiced in lengthy detail his opposition to the adoption of the Advisory Base Flood Elevations, as well as the appeals process, the laws which governed FEMA and due process. Mr. Dirk Matherne addressed the Council next and voiced in lengthy detail his opposition to the adoption of the Advisory Base Flood Elevations, as well as to inquire as to how the adoption of the Advisory Base Flood Elevations had been brought back as an item on the agenda after having failed previously. Chairman Lasseigne asked once more if anyone from the public wanted to speak on the proposed ordinance. Mr. Rickey Comardelle next addressed the Council and inquired as to a call from a U.S. Senator to the Council after the Advisory Base Flood Elevations had previously failed and wherein it had been stated that it had been a good thing. He sought clarification as to whether that had been true. Chairman Lasseigne advised Mr. Comardelle that the Council had received a letter from Senator Mary L. Landrieu. Mr. Comardelle then asked if Senator Landrieu had been in favor of it or not, to which Chairman Lasseigne stated that the letter had stated that she was in support of the Council's decision. A brief discussion ensued. Chairman Lasseigne asked once more if anyone from the public wanted to speak on the proposed ordinance. Mr. Chuck Comeaux next addressed the Council and voiced in detail his support of the adoption of the Advisory Base Flood Elevations. Mr. Atzenhoffer asked Mr. Comeaux if it had not been for hurricanes Katrina and Rita if he still would have been on the repetitive flood list eligible for the hazard mitigation grant, to which Mr. Comeaux responded that he would assume that he would. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Daniel Lorraine. Mr. Matherne stated that he felt for the previous speakers and that this was the third time the Advisory Base Flood Elevations had been proposed. He said that each time there had been good dialogue and that every time there had been public hearings about it that he thought that more information had come forward each time. Mr. Matherne spoke of the different view points of the council members. He said that he did not think it to be over simplification when it was said that people needed to be asked to build higher. Mr. Matherne stated that the Parish was terribly exposed to storm surge, saying that it was known that when Hurricane Rita went in between Louisiana and Texas surge was near the top of the levees in the lower part of the Parish. He asked how would we have looked should it have come in on the other side of Lake Charles or in Lafayette. Mr. Matherne stated that he was concerned about surge and that the elevations and elevations maps that were currently used were twenty (20) years old. He went on to say that everyone was aware as to how much more the Parish was exposed from coastal erosion and land loss through subsidence. Mr. Matherne stated that the old data had was passe. He voiced that the Advisory Base Flood Elevations was the best thing had, adding that he was not sure if the maps were right in every place but that this was the best information had. Mr. Matherne asked that the Council support

the ordinance and that he would also like to hear from everyone on the Council, including the Administration. Mr. Atzenhoffer stated that he thought there were some Louisiana Recovery Authority and/or FEMA representatives present in the audience, confirming that representatives from the Louisiana Recovery Authority were present and then asked if anyone from FEMA was present? He stated to the representatives still seated in the audience that he had seen them shaking their heads when some of the earlier speakers were speaking. He stated that he would be glad to yield some time to the representatives if they cared to address the earlier speakers or he could ask questions and there could be dialogue. Mr. Pat Forbes approached the podium and stated that he was representing the Louisiana Recovery Authority and stated that in the interest of disclosure, he stated that he now worked for the Division of Administration at the State. He said that he was the most knowledgeable person on the issue and had come to represent the Louisiana Recovery Authority on the matter at the present meeting. Mr. Atzenhoffer asked what authority had been given to the Louisiana Recovery Authority to mandate adoption of Advisory Base Flood Elevations? Mr. Forbes stated that the Louisiana Recovery Authority was not mandating the adoption of the Advisory Base Flood Elevations. He said that they were saying that if the Parish wanted to get this money they wanted people to build safely and consequently in order to access the hazard mitigation grant program funds and the CDBG (Community Development Block Grant) funds in the Parish allocation pool and the ten (10%) match that what they wanted South Louisiana to do was to rebuild in the safest way possible. Mr. Forbes stated that the best science that was available at the current point was reflective in the Advisory Base Flood Elevations. He stated that as flawed as they may be they are superior to 1975 or 1985 flood maps and were probably inferior to what would be being seen in six (6) to nine (9) months from FEMA when they brought the new preliminary FIRMS (Flood Insurance Rate Maps). He said that those maps would be based on storm surge modeling, storm modeling and science and at that point the Council would be having the same decision regarding adoption. Mr. Forbes said that he would guess that the consequences at that point of lack of adoption would be that the Parish would not be able to participate in the NFIP (National Flood Insurance Program). Mr. Atzenhoffer stated that he wanted to start by saying that whatever he said was not really meant toward Mr. Forbes personally because he held the Louisiana Recovery Authority in the same esteem as architects, engineers and lawyers. He read from a document which he stated that Act No. 5 of the 1st Extraordinary Session of 2006 stated that the Louisiana Recovery Authority was thereby created as a state agency with the Office of the Governor, that the authority shall be a body corporate with power to sue and to be sued. He continued to read that the domicile of the authority shall be in the Parish of East Baton Rouge and that the purpose of the authority was to recommend policy planning and resource allocation effecting programs and services for the recovery and to identify duplication of services relative to recovery where appropriate. Mr. Atzenhoffer stated that he had read "recommend". He went on to say that there were other things contained in the document that stated that if the Louisiana Recovery Authority was making a decision that was over \$10 million dollars that they had to have the approval of the Joint Committee On The Budget. Mr. Forbes said that in fact every decision that the Louisiana Recovery Authority makes has to have Joint Legislative Committee On Budget's and the full Legislature's approval and HUD's approval before it becomes and was then interrupted by Mr. Atzenhoffer who then asked why could he not find any copy of any of those laws that would change that or said the Parish had to adopt the Advisory Base Flood Elevations in order to receive hazard mitigation funds? Mr. Forbes stated that the Louisiana Recovery Authority recommended that in order for local governments to receive funding from the various CDBG programs that they had set up that the local governments adopt the Advisory Base Flood Elevations in the interest of having a safer South Louisiana. He went on to say that subsequent to that the Joint Legislative Committee On the Budget approved each of those action plan amendments and then the full Legislature approved each of those action plan amendments and most of those action plan amendment had been approved by HUD. Mr. Atzenhoffer asked so the State Legislature had said that now the Parishes had to do this or they would not get the monies? Mr. Forbes stated that they had approved the recommendation of the Louisiana Recovery Authority that these funds be tied to the adoption of the Advisory Base Flood Elevations. Mr. Atzenhoffer

asked where had been FEMA in this, to which Mr. Forbes stated that it had to be understood that there were a couple of different “pots of money” and then said that there were hazard mitigation grant program funds, which he said was the very first thing that the Louisiana Recovery Authority tied to the adoption of the Advisory Base Flood Elevations in November. Mr. Atzenhoffer stated that Mr. Comeaux, an earlier speaker, had already been on the program before and then asked why does he now not get the money? He asked if Mr. Comeaux uses the funds, which he said was federal funds, that he had to build to the Advisory Base Flood Elevations anyway but that the Louisiana Recovery Authority was holding the money back from him, why? Mr. Forbes stated that if Mr. Comeaux was on the list before from a previous appropriation or something like that this should not effect that all. Mr. Atzenhoffer told Mr. Forbes that it had and had effected eighteen (18) people in Lafourche Parish. He said that was why they were here again. Mr. Forbes stated that it was his understanding that this should just effect the allocation of the \$3 million that was specifically associated with hurricanes Katrina and Rita. Mr. Atzenhoffer stated that that was not the information that was being put out and then asked who had the wrong information again? Mr. Forbes stated that he did not know and then stated that he did not want to tell Mr. Atzenhoffer something wrong and that he would much rather find out what the fact on the issue was. He reiterated that it was his understanding, having read the resolution that the Louisiana Recovery Authority passed, that it attached these requirements to the \$236 million that was distributed to parishes, tied specially to disaster, mentioning 1603 and 1607, that’s Katrina and Rita, of which \$3 million was allocated to Lafourche Parish. Mr. Atzenhoffer asked for what, to which Mr. Forbes responded for severe repetitive lost, repetitive lost, elevation and acquisition and hardening of critical infrastructure which could be hospitals or sheriffs stations. Mr. Atzenhoffer stated so once again the people who were already on the list should not have been effected, to which Mr. Forbes stated unless there had been no funds available. He said that this was tied to money and that the severe repetitive lost list had been there since the program had been started. Mr. Atzenhoffer asked if they had been unaffected by Katrina or Rita, to which Mr. Forbes stated that severe repetitive lost was about having been flooded so many times in so many yeas. Mr. Atzenhoffer stated that he has lived it. Mr. Forbes stated that those lists existed in parishes and have since they passed NFIP and all that this allocation does was to provide more money to buy those properties out. Chairman Lasseigne stated that they had been told, and then interrupted himself by stating that he was sure that Mr. Forbes knew Mr. Rainwater, that the Council had been told by Mr. Rainwater that the Road Home Program, the hazard mitigation funds, allocated through the Road Home Program would not be denied and would not be effected by adoption of the Advisory Base Flood Elevations. Chairman Lasseigne reiterated that was what the Council had been told. Mr. Forbes stated that he believed that that was exactly correct but that he would rather have someone from the housing program present but that Road Home Program funds effecting individual homeowners were not affected by the adoption. He said what this adoption effected was \$3 million in hazard mitigation grant program funds, almost a million dollars in 10% match funds that were committed to pay for the Parish’s local government match of loss property that FEMA was not paying and almost a million dollars in infrastructure investment funds. Mr. Forbes then stated that again he would say that he was not the Road Home expert, that he was the HMGP person and infrastructure and that he would rather get a definitive answer for Mr. Atzenhoffer on that question. Mr. Atzenhoffer stated that part of the reason the Council had gotten to this point again was because a letter had gone to individuals that stated that their hazard mitigation funds were denied because the Parish had not accepted the Advisory Base Flood Elevations. Mr. Forbes stated that if those individuals were part of the severe repetitive lost buy out program that was going to be funded with the \$3 million then he would think that that was exactly accurate. Mr. Atzenhoffer stated the FEMA’s recovery guidance published by their website stated for Lafourche Parish that FEMA had completed an early assessment of the one (1%) percent annual chance or 100 year flood still water elevations which incorporated and then interrupted himself by reading that the results of the analysis suggested that still water elevation levels cited in the current flood insurance study for Lafourche Parish were adequate however due

to land subsidence, loss of protection of coastal barrier over the last ten (10) to twenty (20) years and inclusion of waves set up, higher storm surges and larger waves could be expected to propagate further inland than previously estimated. He continued to read that for those reasons FEMA expected that the base flood elevations would be increased at least one (1) foot on future revised Flood Insurance Rate Maps (FIRMs) for Lafourche Parish. Mr. Atzenhoffer continued to read that FEMA was encouraging local government officials in Lafourche Parish to adopt a one (1) foot freeboard and elevate structures to at least one (1) foot above current base flood elevations shown on the effective FIRMs for the reasons stated above. He continued to read that any freeboard would provide extra flood protection to structures, reduce nuisance flooding and may result in lower flood insurance programs. Mr. Atzenhoffer continued to read that a FEMA coastal study of hurricane storm surge flooding was already underway and FEMA intended to have an updated preliminary flood insurance study and updated FIRMs for coastal area Lafourche as early as six (6) months from that time. Mr. Atzenhoffer read that the maps would become effective following a formal appeals process and community adoption. Mr. Forbes stated that that was the FIRMs. Mr. Atzenhoffer stated that they were talking about the whole process. Mr. Atzenhoffer stated that the Parish had offered to the Louisiana Recovery Authority a compromise, saying that the Parish had offered to do what FEMA had suggested. He said that the Parish had asked what if they added a one (1) foot of freeboard to the existing maps and let the process take place? Mr. Atzenhoffer said that was denied. He said that the Parish had wanted to do what FEMA had suggested that it do but that the Louisiana Recovery Authority had said no. Mr. Forbes stated that his understanding of what FEMA was suggesting that the Parish do was the formal Advisory Base Flood Elevations which he said was all that they were asking that the parish adopt. Mr. Atzenhoffer said that had not once had anything FEMA had published, and then interrupted himself stating that the way he had gathered this information was to go to FEMA's website and had entered Lafourche Parish in the search engine and had then read everything that had come up on eleven (11) different sets of pages. He asked why could Lafourche Parish not do this, holding up the documentation he had just read? Mr. Forbes stated because they've also, and then interrupted himself stating that he was not sure what Mr. Atzenhoffer had but that he knew that they had made Advisory Base Flood Elevations maps and that was what the Louisiana Recovery Authority had chosen as a standard for safety in the interim period between the storms and when FEMA developed their Flood Insurance Rate Maps. Mr. Atzenhoffer stated that the Louisiana Recovery Authority keeping saying "safety" like the Parish wanted unsafe buildings and that wanted be unsafe. Mr. Forbes stated that he did not think anyone did. Mr. Atzenhoffer stated that he wanted this to be done correctly and that there was a process. He said that there was middle ground there. Mr. Atzenhoffer stated that he believed that there was a process, saying that Advisory Base Flood Elevations maps came out and that they were just a guess, adding that it said so and that he would read that to Mr. Forbes later. Mr. Forbes stated that he agreed. Mr. Atzenhoffer reiterated that they were just a guess. He said that then there was a formal process where they came out with the preliminaries, there was an appeal process, the final came out and the parishes had to adopt the finals or they lost their flood insurance programs. Mr. Atzenhoffer stated that the Louisiana Recovery Authority had changed that rule. Mr. Forbes stated no they had not. Mr. Atzenhoffer clarified that Mr. Forbes had stated that the Louisiana Recovery Authority had not changed that rule, to which Mr. Forbes stated no. Mr. Atzenhoffer stated that he could not find it anywhere at all where it said that the parishes had to adopt the Advisory Base Flood Elevations, to which Mr. Forbes stated not in there. He said that FEMA was saying that adoption of the Advisory Base Flood Elevations was optional, and then sought clarification as to whether that was what Mr. Atzenhoffer was saying? Mr. Atzenhoffer stated that he could not even find where it was said that it was optional and that they had just stated that it was an advisory. He said that they were just saying that it was an advisory and was a piece of paper to give their best guess. Mr. Forbes stated that was right, that it was FEMA's best guess and was based on their experiences, it was the best guess at what the appropriate elevations were without having gone through two (2) years of intensive science, working with the Corps of Engineers, storm modeling, surge modeling and all of those things. He said that it was as better guess than the 1975 flood

maps. Mr. Forbes said that Mr. Atzenhoffer was right, that the Louisiana Recovery Authority stepped in said okay we have better information now than we had in 1975 and that there was a lot of money to spend rebuilding and that there were going to spend it in using the safest science that they had available. He said that what the Louisiana Recovery Authority had chosen as that standard was the Advisory Base Flood Elevations. Mr. Forbes stated that was where it had come from and that it was not the Louisiana Recovery Authority who created them and that FEMA had created the Advisory Base Flood Elevations. Mr. Forbes stated that they were only advisory and interim until the Parish's FIRMs were available, which he said was projected to be sometime in the upcoming fall. He said at the point the Parish would have an appeals process to go through. Chairman Lasseigne interjected and asked if there would still be an appeals process if even the Advisory Base Flood Elevations were accepted at the current meeting, to which Mr. Forbes stated absolutely. Mr. Atzenhoffer stated no the Parish would not. President Randolph stated yes, with preliminary FIRMs. Mr. Forbes stated that yes the Parish would. He stated that as soon as the preliminary FIRMs came out the Parish would have a thirty (30) day period for review, a sixty (60) day appeal period, the Parish would go through a period of appeal with FEMA and the Parish eventually would either adopted the FIRMs based on negotiations and discussions or it would not. Mr. Atzenhoffer stated that the language from the Louisiana Recovery Authority says that the Parish must adopt using the best available information, saying that it did not say Advisory Base Flood Elevations and then preliminaries, reiterating that it said best available. He said that when the preliminary came out that the Council would be back and would have no choice and would have to adopt them and then go through the appeals process, they change and then were adopted again. Mr. Atzenhoffer stated that here they would be adopting and people would be guessing, saying that if they guessed right good for them, but that if they guessed wrong oh well, sorry, there are companies that would raise your house for you. Mr. Atzenhoffer continued to spiritedly speak on the matter. Mr. Atzenhoffer stated that the Parish would have to adopt all three (3), that being the Advisory Base Flood Elevations, preliminaries and then finals. He said that the Council would not have a choice once they started down the "slippery slope". Mr. Atzenhoffer stated that the Council had an option, and he then stated that he still wanted to know why the Parish could not do what FEMA had asked and said what they did with the Advisory Base Flood Elevations, which he said was the adding of one (1) foot of freeboard to everything. Mr. Atzenhoffer stated which what they did not do according to the 200 plus errors just in Lafourche Parish. Mr. Forbes stated that he wanted to clarify something with respect to the question that Mr. Atzenhoffer had just asked. He asked if everything he had stated had been clear, saying that there was a process, a period during which the Parish worked with FEMA as the Parish moved from preliminary FIRMs to the final FIRMs and that it had an appeals process associated with it? Mr. Forbes stated that adoption of the Advisory Base Flood Elevations did not effect any of that process when the Parish got to the FIRMs. He reiterated that it had no effect on that, saying that he could give Mr. Atzenhoffer a letter that St. Bernard Parish requested some specific information on questions in an area and that they had received a letter from Mr. Maurstad (*believed to be Mr. David I. Maurstad, Director of Mitigation Division*) who he said was the head of the mitigation branch for FEMA. He asked if President Randolph had that letter, to which she stated she was currently handing it out to the Council at the present time. Mr. Forbes stated that the letter clarified some of those things, basically saying that a parish did not lose its ability to build to the FIRMs just by adopting the Advisory Base Flood Elevations and that as soon as the FIRMs were adopted the Advisory Base Flood Elevations were gone. He said that the people who built to the Advisory Base Flood Elevations were not going to have their rates raised once the FIRMs came out. Mr. Atzenhoffer stated that that was not the point. He said that the point was that in order to get the money at the present time the Parish had to go with the best available information, saying that was the Advisory Base Flood Elevations and that when the preliminaries came out that the Advisory Base Flood Elevations would be extinct as the best available information would be the preliminaries. Mr. Atzenhoffer said so in order to keep getting the money the Parish had to adopt the preliminaries because the preliminaries would then be the best available information. Mr. Atzenhoffer stated that the Parish could still go through the appeals process and that when FIRMs came out that they had to be

adopted. Mr. Forbes stated that he was sorry as he was not following Mr. Atzenhoffer, saying that that was not the case at all. Mr. Atzenhoffer stated that that was what the Louisiana Recovery Authority had said. He said that the Louisiana Recovery Authority had said that the parishes had to use the best available information. Mr. Forbes stated that if the action plan amendments were read they did not say the best available science and that they said adoption of the Advisory Base Flood Elevations. He said that once the parishes adopted the Advisory Base Flood Elevations it made the funds accessible to the parishes and whatever decisions were made with respect to the FIRMs later would only effect the parishes relationship with FEMA in the NFIP program. Mr. Forbes stated that it would not have anything to do with this, adding that this was a very, at the current point, short lived commitment. President Randolph stated that the FIRMs only applied to flood insurance. Mr. Atzenhoffer stated that he understood that but that everything he had gotten from the Louisiana Recovery Authority had always said best available information. Mr. Forbes stated that he could direct Mr. Atzenhoffer to the website where all the action plans were because that was more or less the law that the Legislature and HUD approved and was the way the money had to be spent. He said that it could be seen that each of the action plan amendments that included the language spoke to the adoption of the Advisory Base Flood Elevations. Chairman Lasseigne asked if the Parish had specific areas that had levees, pumps and low lying areas that have never flooded, if the Parish was to adopt the Advisory Base Flood Elevations conditionally on the exclusion of those from the Advisory Base Flood Elevations and the current point in time if it was a minor part of the Parish? Mr. Forbes stated that part of the Louisiana Recovery Authority resolution stated something about the Louisiana Recovery Authority being willing to consider exceptions that did not minimize safety compared to the Advisory Base Flood Elevations or something like that. He said that there was one (1) case in St. Tammany Parish where he thought they had been using some old information from a very old map and they were able to figure out that the land was not as low as they had thought it was originally. Mr. Forbes said that if the land is actually as low as depicted on the maps, he could not speak for the Louisiana Recovery Authority board and say no they would not accept that but that it was certainly something that could be put forward. Chairman Lasseigne stated that in St. Tammany they had accepted their, and was then interrupted by Mr. Forbes who stated that it was very much different and that he wished he had better recall on the matter. Chairman Lasseigne stated that he had the resolution from St. Tammany Parish regarding the matter and offered it to Mr. Forbes who took it. Mr. Forbes after briefly reading the resolution from St. Tammany stated that they were based on old maps or had gotten the permits prior, saying that it was not so much an exception to the Advisory Base Flood Elevations as it was a recognition of some mistakes. Mr. Forbes stated that that was certainly an avenue that was available to the Parish. He said that at the current time that FEMA was saying that with regards to the FIRMs it would be approximately August, adding that he was not completely confident that it would be in August but that he was fairly confident that FIRMs would be being seen before the end of the current year. Mr. Forbes stated that he thought that the reason FEMA did not have an appeal process associated with the Advisory Base Flood Elevations like with the FIRMs, was that FIRMs were somewhat permanent, saying that they may last 10, 20, or 30 years. He said that Advisory Base Flood Elevations by definition and design were only there as an interim measure to last a year or two. Mr. Forbes stated that consequently it would not be very efficient to have an appeals process for something that was only there to last for a year anyway. He said that there was rarely this level of interest of Advisory Base Flood Elevations because there was rarely this amount of money tied to them. Mr. Forbes said that it was rarely this level of increased safety associated with and that he thought that everyone had seen from the storms what the storms might do and that the Louisiana Recovery Authority's interest in every step of this was to improve the safety of the State as we rebuild. Mr. Atzenhoffer then stated that he wanted to give Mr. Forbes more information for FEMA. He then read from documentation which he read stated that Hurricane Rita Storm Inundation Advisory Base Flood Elevations maps, Summary of Methods, saying that this was how the maps had been come up with. Mr. Atzenhoffer stated that he was reading from version 1 dated March 16, 2006. He then read that in response to the devastating hurricane FEMA initiated a project to produce high resolution maps that show

flood impacts when a storm for portions of the nine (9) coastal Louisiana parishes and that while flooding impacts from Hurricane Rita were also severe in Texas that recovery maps were only prepared for Louisiana because the observed coastal flooding was significantly greater than the flood level shown on current FIRMs suggesting that the FIRMs may understate the true flood risk. He then read about Methodology, saying that these were things that were used to create the maps, preliminary surveyed coastal high water marks, flood elevations from Hurricane Rita storm surge, Hurricane Rita coastal surge inundation limits, Advisory Base Flood Elevations in addition the detailed Rita Recovery map panels that showed these elements FEMA had also proposed two (2) overview maps for the nine (9) effected parishes mapped to date. Mr. Atzenhoffer continued to read that these overview maps which were explained in greater detail in Section 3 shall assume the same essential elements as well as regional surge elevation contours derived from the surge only. He continued to briefly read on. Mr. Atzenhoffer went on to read that as explained the Flood Recovery Guidance published by FEMA for each Louisiana parish Advisory Base Flood Elevations for this project were generally determined by adding free board to the base flood elevations shown on each communities FIRM. He continued to read that to apply the freeboard specified in the Flood Recovery Guidance for each parish the flood zone boundaries and elevations were first transferred electronically from the FIRM to a GIS (Geographic Information System) format when necessary and that in the specific GIS the specific freeboard value, usually one foot, was then added to the base flood elevations and a combined value was placed on the recovery map in the form of an Advisory Base Flood Elevation followed by the flood zone designation. He continued to read briefly. Mr. Atzenhoffer then read that in most of the cases the Rita Recovery maps would show a yellow black limit of coastal Advisory Base Flood Elevations line in any Rita inundated areas excluded from the Advisory Base Flood Elevations mapping would be labeled with See Effective Firm. Mr. Atzenhoffer then read from the last line of the document he had which he said stated that map users should consult the effective FIRM for the area for flood elevations that should be used during the recovery process. He reiterated his last statement. He then showed a document which he stated was the latitude and longitudes if anyone was interested on how one got there. Mr. Atzenhoffer continued to read that within Lafourche Parish values assigned to approximate Zone A areas differ and that for areas north of Bayou Lafourche Zone A areas were assigned a value of five (5) feet from the Lafourche/Assumption parish boundary to the town of Matthews and that for Matthews to Larose Zone A areas were assigned a value of six (6) feet in accordance with the U.S. Army Corps of Engineer base flood elevation data. He continued to read that to the southwest of Bayou Lafourche that all approximate Zone A areas were assigned a value of six (6) feet and that all assigned values were based on average U.S. Army Corps of Engineers base flood elevation guidance for Lafourche Parish. Mr. Atzenhoffer stated that it took the old maps and guessed to come up with Advisory Base Flood Elevations and that it was not known if it was good or not. He then quoted from the Courier dated March 13, 2007, that the Louisiana Recovery Authority's elevation map mandate did not include the Road Home Program because it does not go through the parishes. Mr. Atzenhoffer then asked Mr. Forbes if that was true, that Road Home funds were absolutely unaffected? Mr. Forbes stated that was right. He then read that the program did require individual homeowners to build to the advisory elevations and then interrupted himself by asking Mr. Forbes if he was the individual in the article that had made that statement, to which Mr. Forbes stated yes. Mr. Atzenhoffer then read that this had come as news to some council members who said that they were told that the maps were tied to Road Home monies. He continued to read that the bulk of the money tied to the maps adoption came from FEMA's hazard mitigation grant program of which Terrebonne was slated to receive \$5.4 million and that money from the program would be used to elevate or demolish houses that frequently flood. Mr. Atzenhoffer continued to read that most of it had not been disbursed according to what state officials had said. Mr. Forbes stated that he wanted to make it clear that people who got the Road Home monies had to build to the Advisory Base Flood Elevations and the Parish's adoption or lack of adoption had no bearing on their ability to get funds. Mr. Atzenhoffer stated that was correct and that he thought it an important point to make that if the Louisiana Recovery Authority was not present people receiving the hazard mitigation grant funding would also have to build to

the Advisory Base Flood Elevations. Mr. Forbes asked Mr. Atzenhoffer to repeat his statement. Mr. Atzenhoffer stated that if the Louisiana Recovery Authority was not present that anyone who was on the repetitive flood list who received the grant money would have to build to the Advisory Base Flood Elevations. Mr. Forbes stated yes by FEMA's rules. Mr. Atzenhoffer stated that everyone understood that FEMA says that the money could be had and that one had to build to the Advisory Base Flood Elevations. Mr. Forbes stated that was right. He said that the Louisiana Recovery Authority says that someone could not have the money because the entire parish had not adopted the Advisory Base Flood Elevations. Mr. Forbes stated that was right. He said that adopting the Advisory Base Flood Elevations effects more than those eighteen (18) homes that were severe repetitive lost structures, saying that would effect all of the houses that would be built and the Louisiana Recovery Authority was not concerned with just those eighteen (18) homes that would get funding from the \$3 million, saying that it was about the whole parish. Mr. Atzenhoffer stated that neither was he and that they were a nation of law and the law was very specific and that there was due process for these things to be changed. He said that the Louisiana Recovery Authority had taken due process from the citizens of Louisiana. Mr. Forbes stated that he had stated earlier the Legislature and HUD who gives the money had to approve the recommendations that the Louisiana Recovery Authority put forth. Mr. Atzenhoffer stated then they were just as wrong. Mr. Forbes stated that he knew but that those people were elected and they represent the people in Lafourche Parish and they approved the plan. He stated that he was just arguing that to say this is outside of due process is not accurate. Mr. Lorraine stated that no matter what document was come up with that everyone would not be pleased. He said that the situation should be looked at as a parish as a whole and not in certain areas. Mr. Lorraine stated that he had gone through this previously in 1985 saying that they had been slammed by Hurricane Juan. He said that their levees had broke and that there had been hundreds of homes that had gone under. Mr. Lorraine stated that at that time FEMA had come in and they had to build according to what FEMA told them. He said the required elevations had been plus 8, plus 10 and plus 6. Mr. Lorraine stated that since that time they had the foresight to start a levee in South Lafourche, mentioning that people were not afraid to pay money in South Lafourche to get something. He said that a levee had been started and stated that as the levee was built the elevations went down and that when the levee was completed the highest elevation in South Lafourche inside the ring levee was a plus 3 ½ and that the lowest was a plus 2. Mr. Lorraine stated to compare that to a plus 8 and plus 10 prior to the finishing of the levee. He said that the people of the area had been asked for a millage and that the people of the area had voted for a millage. Mr. Lorraine then stated that they had recently passed a sales tax to fix the levees and that 88% of the people voted for it. He said that the area had good levees and good pumps. Mr. Lorraine continued to briefly speak on the matter. He said that with regards to the Advisory Base Flood Elevations that there was already 20% of the population in the Parish who had adopted the maps, saying those were the City of Thibodaux, the City of Lockport and the City of Golden Meadow. An audience member shouted something and a brief exchange ensued. Mr. Lorraine stated to look at the situation and the parish as a whole. He said that it was his opinion that this was just advisory base flood elevations maps and that he could almost promise that the when the real maps arrived that it would be almost identical. Mr. Lorraine stated that if the Parish waited for the real maps to come in that all of the money available may be gone and the Parish may not get any. He said that there were other entities in the Parish, such as the South Lafourche Levee District, North Lafourche Levee District and the Greater Lafourche Port Commission, and La. 1 Colation who could get some of this money. Mr. Lorraine stated whether it was liked or not, adding that he had not liked it in 1985 and that he was furious, but that he could not win. He said to ask the people of the area that had flooded, mentioning that there were a few present in the audience who had three (3) feet of water in thier homes. Mr. Lorraine said that if a hurricane came right by Morgan City that there would be about five (5) to six (6) feet of water in the Council Chambers and then commented on the South Lafourche area and its possible conditions. He continued to briefly speak on the matter, including saying that all the federal government wanted to do was to protect what they were giving. Mr. Lorraine stated that money would be given to fix things but that they wanted

things fixed the right way. He reiterated that the maps probably would not change when the original maps came out. Mr. Lorraine suggested voting for the adoption of the Advisory Base Flood Elevations and to put this matter to rest. Mr. Atzenhoffer stated that Mr. Lorraine was doing a good job of making his point because what Mr. Lorraine spoke of was the process that this had gone through. He said that Mr. Lorraine was correct in saying that the federal government wanted protection for the money that they were sending and then said that if the Louisiana Recovery Authority had not been present the money would still come and the same things would have to happen. Mr. Atzenhoffer stated that if someone got hazard mitigation funds from the federal government they had to build to the Advisory Base Flood Elevations. He said that if you get Road Home programs funds from the federal government you have to build to the Advisory Base Flood Elevations for that very specific spot. Mr. Atzenhoffer said that he had lived through it seven (7) times with his in-laws, saying that the last two (2) had been with Isidore and Lily. He said that now their house had been elevated and that they had built to the base flood advisories and further that they had had to. Mr. Atzenhoffer said that it was a simple issue, tying the funds to the Advisory Base Flood Elevations was fine but that forcing a parish to adopt them without the generally accepted process of adoption was wrong. He continued to briefly speak on the matter. Mr. Atzenhoffer then quoted from a letter from Senator Mary Landrieu directed to the Louisiana Recovery Authority dated September 14, 2006. He read that it stated that she was writing to them to express her serious concerns about the Advisory Base Flood Elevations that had been proposed by FEMA and mandating effective parishes to adopt these interim elevations as a requirement to participate in the Road Home Program which is funded entirely by the federal government through special appropriations approved by Congress in the previous year and the current year. He continued to read that the Louisiana Recovery Authority had taken a position that had caused considerable apprehension among many local residents and parish officials. Mr. Atzenhoffer went on to read that FEMA's Advisory Base Flood Elevations, which have questionable scientific basis, were only temporary approximations. He then stated that he explained earlier how the Advisory Base Flood Elevations had been come up with, saying that they took a bunch of maps and guessed. Mr. Atzenhoffer then returned to reading from the letter and stated that in the next year that FEMA would finalize preliminary base flood elevation maps and elevations may change in many areas and further that she believed that every reasonable step should be taken to make neighborhoods as safe as possible and to mitigate against possibility of future flooding and that she supported their desire to accomplish the worthy goal but added that she feared that in some circumstances requiring homeowners to make a permanent rebuilding decision based on the temporary elevation data could cause unnecessary hardship and costs many property owners without necessarily improving safety. He continued to read that Senator Landrieu strongly urged the Louisiana Recovery Authority to work closely with effective parishes on their specific needs and to make appropriate exceptions to the adoption of the Advisory Base Flood Elevations where there were compelling reasons to do so. Mr. Atzenhoffer then mentioned what FEMA had recommended, adding one (1) foot of freeboard to the current base flood elevations and that FEMA was fine with that and that the people of Lafourche could live with that. He said that he thought the Council could live with that and that the federal government had stated that they would live with it. Mr. Forbes stated that what he thought FEMA was fine with was their Advisory Base Flood Elevations and that was why they had issued them. Mr. Atzenhoffer stated that FEMA had said add one (1) foot of freeboard was how they had gotten to most of the Advisory Base Flood Elevations and that then they have overlaid four (4) other maps and guessed. Mr. Forbes stated that he could not speak for FEMA and that he clearly recognized as he thought everyone did, that the maps were an approximation based on their best experience that was had and was not based on the level of science that FIRMs were. He said that they were advisory interim. Mr. Atzenhoffer said yet the individual who helped author the recovery legislation in Congress had strongly urged that the Louisiana Recovery Authority work closely with effective parishes on their specific needs and to make appropriate exceptions to the adoption of the Advisory Base Flood Elevations where there were compelling reasons to do so. Mr. Atzenhoffer stated that there was no "budge" on the Louisiana Recovery Authority's side. Mr. Forbes asked to with respect to what, to which Mr.

Atzenhoffer stated the Advisory Base Flood Elevations. Mr. Forbes asked if Mr. Atzenhoffer had proposals for alternative protected measures, to which Mr. Atzenhoffer stated that they had put one forward. Chairman Lasseigne then asked if Lafourche Parish did something similar to what St. Tammany Parish had done, excluded certain areas, the caveat, he said being that the Parish would conform with FIRMs when received, if that would be acceptable to the Louisiana Recovery Authority? Mr. Forbes stated that he just received some information about St. Tammany's situation and that he needed to clarify that they had not really gotten an exemption. He explained that FEMA had accepted some flood map data that was had that had been being worked on before the storm. Mr. Forbes stated that FEMA was in the process of gathering new data for St. Tammany's maps before the storms. He said that St. Tammany had advised FEMA that they had information already based on pre-storm surveys, to which FEMA had stated that was right and that they would use that. Mr. Forbes stated that he just wanted to clarify that and that it was not so much an exemption and had not been an exemption from the Louisiana Recovery Authority at all, but was a recognition by FEMA that there had been better data. Chairman Lasseigne stated that we have that. Mr. Forbes stated that if FEMA had information that would revise the Parish's maps better than that was fine and that that would be FEMA's advisory. Mr. Forbes stated that the difference he was describing was that FEMA changed the Advisory Base Flood Elevations map and that the Louisiana Recovery Authority had not given an exemption to St. Tammany. He reiterated that FEMA had changed the Advisory Base Flood Elevations based on the data. Mr. Atzenhoffer stated that that proved his point, saying that this could change by the next day and then FEMA could come back and say, oops, we made a mistake and we meant to use a red highlighter and we used a yellow one and the line is actually here and this is the elevation and then the Parish would have to adopt it again. He said that the only people that could change this was FEMA and that the only people that changed the process was the Louisiana Recovery Authority. Mr. Atzenhoffer advised Mr. Forbes that his statements were not intended personally and asked that Mr. Forbes not take it that way. He continued to speak on the matter briefly. Mr. Atzenhoffer stated that we were a nation of law and that every one had to abide by the law. He said that FEMA's rules and regulations had been passed by the United States Congress and that FEMA's rules and regulations were law. Mr. Atzenhoffer stated that if the Louisiana Recovery Authority was not in the way, the people involved would already have their hazard mitigation funds, saying that all that they would have to do would be to build to the best available map, which in the current case he said was the Advisory Base Flood Elevations because that was the stipulation to get federal funds. Mr. Forbes stated that he wanted to briefly respond to Mr. Atzenhoffer. He stated that also in the regulations that guide FEMA was language that told FEMA that in a disaster, as the present, that when funds were distributed the Governor was to either decide on policy or to assign a party to decide on policy with respect to the distribution of those funds. Mr. Forbes stated that the Governor had chosen the Louisiana Recovery Authority as the policy making authority with respect to the hazard mitigation grant program funds. He said he was bringing this up because it was important that no one left the Council Chambers thinking that anything outside the law was occurring or was occurring without due process. Mr. Forbes stated that every dollar of CDBG funds that was spent had to go through the Louisiana Legislature and HUD who distributes the money through their approval process before OCD (Office of Community Development), Division of Administration could spend those dollars. He said that they could either accept or reject the Louisiana Recovery Authority's recommendation, saying that in the case of Advisory Base Flood Elevations they had accepted those recommendations. Mr. Forbes stated that with respect to hazard mitigation grant program dollars FEMA's law said that the State had the authority to set policy with respect to how the funds were set and to set priorities on how these funds were spent. He said that the Governor had delegated that authority to the Louisiana Recovery Authority and they made these policy decisions. Mr. Forbes stated that you can agree with the policy decisions or not, but that to incunuate that the policy decisions were outside of the law was just something he had to respond to because that would leave an inaccurate idea out. Mr. Atzenhoffer asked what about due process for the maps? Mr. Forbes clarified that Mr. Atzenhoffer meant FEMA's due process? Mr. Atzenhoffer stated no, and that the parishes had to adopt

the Advisory Base Flood Elevations. Mr. Forbes stated that FEMA's process for FIRMs was that there was something they went through with the parishes for nine (90) days looking at the maps and figuring out if everything was right and showing their science. He said that that was not had with Advisory Base Flood Elevations and that they said that it was their best guess and that it had to be taken or left. Mr. Atzenhoffer stated that FEMA had never once said that the Advisory Base Flood Elevations had to be adopted, to which Mr. Forbes stated that was right. Mr. Atzenhoffer said that the Louisiana Recovery Authority changed that. Mr. Forbes stated that the Louisiana Recovery Authority had not said that they had to be adopted. Mr. Atzenhoffer stated that Mr. Forbes had stated that if they were not adopted that the Parish would not get \$3.2 million dollars. Mr. Forbes said that was right but that the Parish did not have adopt them. A brief discussion ensued. Mr. Forbes stated that there had to be policy associated with every single dollar that the federal government sent. Mr. Atzenhoffer stated that those things were already in place and that the Louisiana Recovery Authority had changed them a little. Mr. Forbes stated that FEMA had very broad rules about how the money may be spent. He said within those broad rules FEMA told the Governor of the State of Louisiana that funds were being sent down and that it was within her authority within these legal constraints to decide what the priority for the State were and what the policy for the State was with respect to how the monies were spent. He said that the Governor had done that and that she had taken the authority and handed it to the Louisiana Recovery Authority as FEMA's law and State law allows. A brief discussion ensued. Mr. Toups asked Mr. Delatte with regards to the subdivision he had spoken about at a previous Council meeting that had had problems with flooding if it would be right to say that if the Advisory Base Flood Elevations would have been adopted previously if the flooding would not have happened? Mr. Delatte stated no, and Mr. Toups asked if the flooding would still have occurred? Mr. Delatte stated that the same problem would still have been had, to which Mr. Toups stated but the homes would have been built higher. Mr. Toups stated that houses would not have flooded. Mr. Callais stated that he had met with individuals from the Louisiana Recovery Authority. He voiced his personal friendship with Mr. Atzenhoffer and then stated that if Mr. Atzenhoffer had all of the questions he had he could have made phone calls and a lot of the questions could have been answered previously. Mr. Callais went on to say that he agreed with Mr. Matherne and Mr. Lorraine in that the Parish needed to start building higher and moving forward. Mr. Callais said that this needed to be done for the future. He said that the Gulf of Mexico was no longer in Fourchon and that it was now in the back of Larose. Mr. Callais stated that the next storm or low in the Gulf could push water up against Lockport. He then commented on the portable levee issue. Mr. Callais stated that it was known that the Gulf of Mexico was right there on top of us and that the next time a storm came the area would flood. He said that without a doubt people needed to start building higher and safer. Mr. Callais stated that the Advisory Base Flood Elevations were not perfect documents. He then voiced that he would be supporting the adoption of the maps and then asked the Council to do the same. Mr. Callais said that this was holding up a lot of federal funds and the potential millions of dollars more of federal funds if the federal government waived the 10% match that was required upon the State. He said that they could not afford to jeopardize the millions of federal funds that would be coming from Washington. President Randolph stated that she wished she had spoken to Mr. Forbes earlier because some of the issues brought up had been brought up before, naming some of those as being exempting areas, excluding areas and had never been purview of what the Louisiana Recovery Authority had to be able to exempt an area. She stated that the other confusion at the present meeting was that hazard mitigation came in two (2) different forms, saying that hazard mitigation came in Road Home and also under the Louisiana Recovery Authority and those type of funds. President Randolph stated that the confusion lied in the fact that both were called the same thing. She said that hazard mitigation funds under adoption of the Advisory Base Flood Elevations was where the individuals who have had the repetitive losses could not raise their homes. President Randolph stated the reason that they had not been able to raise their homes despite the fact that they had incurred numerous floods was because there had been no money. She stated that there had been a list for years and that these people had been waiting and waiting to be able to raise their homes. President Randolph stated

that the fact that the money was now available through the Louisiana Recovery Authority allows those individuals to raise their homes in the places they need to. She went on to say that there was still hazard mitigation money available in Road Home but that it was not the same thing as the Louisiana Recovery Authority money with the adoption of the Advisory Base Flood Elevations. President Randolph stated that her personal opinion was that in six (6) months the FIRMs would show that areas needed to build even higher. She stated that she thought that their best guess at the present time was less than what it would be in the near future. President Randolph stated that she and Mr. Ray Cheramie, Department of Public Works had began working with the Corps with the FIRMs before the storms had hit and that it was obvious that the maps were very much outdated. She said that when FEMA had come in and looked at the maps that were twenty (20) years old they had said that some adjustments really needed to be made. President Randolph stated that her greatest fear was for Mr. Atzenhoffer's area and Mr. Gouaux's area because the Parish's threat was from the west. She said that the area was badly opened on the west and that was where the flood waters would come in. President Randolph stated that in her opinion the Parish needed to adopt the Advisory Base Flood Elevations and move onto the FIRMs. Mr. Atzenhoffer voiced his appreciation for everyone's listening and Mr. Forbes presence. He then said that the Advisory Base Flood Elevations were already tied to the hazard mitigation funding if the Louisiana Recovery Authority would get out of the way. Mr. Atzenhoffer stated that he knew that it would be said that if the Louisiana Recovery Authority was not present then the funds would not be there. He said that he did not know about that because after hurricanes Isidore and Lily funds were available, saying that his in-laws now resided in a house that had been elevated and further the Louisiana Recovery Authority had not been present. Mr. Atzenhoffer said that the Council had a duty to protect the due process and that they had all taken an oath to protect the constitution, the laws of the United States and the State of Louisiana. He said that due process was one of them. Mr. Atzenhoffer stated that adopting the Advisory Base Flood Elevations as the official flood map of Lafourche Parish eliminates due process. He then asked if he thought that people should build higher to which he answered yes. Mr. Atzenhoffer then asked himself if he thought that levees should be built higher to which he responded yes. He then asked himself if he would be a house on a slab in South Louisiana, answering himself no. Mr. Atzenhoffer stated that was his choice just like everyone else had a choice where to leave. He stated that was not the issue and that a very important part of why they were present was being abandoned. Mr. Atzenhoffer stated that this had been a long discussion and then spoke of his friendship with Mr. Matherne and Mr. Callais and then stated that they differed on this issue. He continued to briefly speak, saying that this had been one of the best discussions and best debate ever done by the Council. Mr. Atzenhoffer then asked that the Council defend the things that they were present to defend. Mr. Gouaux then spoke of his personal experience of being a victim of Hurricane Juan. He voiced that he was very upset that the Parish had allowed people to build at the elevations as which he had built at in the area that he had built in. Mr. Gouaux explained that he had been very young when he had purchased his lot and had decided to build his home. He stated that he had followed all of the restrictions, rules and regulations in existence at the time, adding that there were none with regards to elevations. Mr. Gouaux said that through time the people of the Parish and South Louisiana have been made more aware of subsidence, saying that in the current year it had been found that average subsidence in Lafourche Parish was nine (9) inches, which he said had occurred over a ten (10) year period. Mr. Gouaux said that just that in itself should make people want to build higher. He stated that he wondered if a foot was high enough with the subsidence being had. Mr. Gouaux stated that hopefully people in the future will understand why the Advisory Base Flood Elevations were wanted to be accepted when a large storm hits, which he said would happen. He continued to briefly speak on the matter. Mr. Gouaux said that he thought it was in the best interest of the Parish and the people of the Parish to accept the Advisory Base Flood Elevations. Mr. Matherne stated that he thought it was the Council's duty to provide building guidance and to adopt policy that set minimum criteria to keep people safe. He said that the best information had before the Council was the Advisory Base Flood Elevations. Mr. Matherne stated that adopting the Advisory Base Flood Elevations was the best information

that was had. He said that the average homeowner built his lot at the elevation the Council requested, saying that guidance was being looked for from the Council. Mr. Matherne stated that he thought that guidance was the Advisory Base Flood Elevations and asked that Council support the matter. A roll call vote was called for and after a brief discussion it was decided to have an electronic vote. A brief discussion ensued. The motion *carried* by a vote of seven (7) yeas and two (2) nays, that being of Dr. Tommy Lasseigne and Mr. Mark Atzenhoffer.

ORD. NO. 4013 ADVISORY BASE FLOOD ELEVATIONS

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

Mr. Mark Atzenhoffer offered a **motion** to take a five (5) minute recess, seconded by Mr. Brent Callais and *carried* by a vote of nine (9) yeas and zero (0) nays.

The March 27, 2007 Lafourche Parish Council meeting reconvened to allow the next item on the agenda to be proceeded to.

ADMINISTRATIVE REPORT(S)

The next item (5) on the agenda was Mrs. Pat Matherne, with the Planning Commission, to discuss a draw on an Irrevocable Standby Letter of Credit. Mrs. Matherne explained that once a developer completed a subdivision and it was up for acceptance into the Parish system that a maintenance bond or letter of credit was initiated for one (1) year for any necessary repairs prior to expiration and inspections made notifying the developer of any faults within the subdivision. Mrs. Matherne informed the Council that included in their agenda packets was an extended letter of credit nearing expiration and further contained in the packet was correspondence to the institution notifying them of the Parish’s intention to draw against the letter of credit for the necessary repairs. Mr. Atzenhoffer asked if the Planning Commission was performing everything that needed to be done and if Mrs. Matherne was just notifying the Council, to which Mrs. Matherne stated yes and further that documentation had been forwarded to the institution and was in the process of being drawn against. Brief detailed discussions ensued with regards to the reason for having this item on the agenda, the total amount of the line of credit and whether partial draws could be made on the line of credit.

The next item (6) on the agenda was Ms. Shannon Chiasson who presented and explained in detail a visual Finance Report which included the following:

Finance Report, March 27, 2007
Shannon Chiasson, Finance Director

- March 2007 Financial Reports
- Royalty Revenue Report
- Sales Tax Revenue Report
- 2007 Budget - Final
- RSTD 3,5,6 Combined Revenue & Debt
- Financial Information
- Link
- <http://www.lafourchegov.org/lafourchegov/finance-reports.aspx>

<u>Royalty Revenues</u>		
	2006	2007
January	313,701	312,692
February	300,115	365,704
March	343,926	
Total	3,761,050	678,396

<u>Road Sales Tax District #2</u>		
	2006	2007

January	357,572	451,256
February	306,777	415,054
March	337,403	
Total	5,046,602	866,310
<u>Road Sales Tax District #3</u>		
	<u>2006</u>	<u>2007</u>
January	87,387	108,345
February	62,720	108,371
March	79,231	
Total	1,107,535	216,716
<u>Road Sales Tax District #5</u>		
	<u>2006</u>	<u>2007</u>
January	94,898	88,988
February	102,335	80,121
March	82,917	
Total	1,270,156	169,109
<u>Road Sales Tax District #6</u>		
	<u>2006</u>	<u>2007</u>
January	91,800	103,752
February	69,465	75,547
March	72,176	
Total	1,070,140	179,299
<u>Solid Waste</u>		
	<u>2006</u>	<u>2007</u>
January	489,556	571,734
February	413,379	512,088
March	443,915	
Total	6,476,908	1,083,822
<u>Millage Rate Hearings</u>		
Advertisement: March 7, 2007		
March 8, 2007		
Public Hearings: April 10, 2007 (Introduction)		
April 24, 2007 (Adoption)		
<u>The End</u>		

The next item (7) on the agenda was a discussion regarding the proposed changing of cellular phone carriers. Mr. Curole explained that in the audience present were two (2) representatives of AT&T. He explained that the Parish had received a proposal for the service and further that he thought that it was the direction to be headed in, which he said would provide monthly savings over all. Mr. Curole stated that before a decision was made that he wanted to give the Council members the opportunity to speak on the matter. He then spoke about Mr. Atzenhoffer advising as of his decision not to switch, which he said was not a problem and that not everyone would be making the switch. Mr. Curole continued to briefly speak on the matter. He informed the Council that the provider had Blackberrys and that the services were comparable but that the main difference would be that the Parish would not have the radio service but said that mobile-to-mobile minutes were free. Mr. Curole stated that overall the pricing was better and explained that instead of having unlimited services for the Council and members of the Administration everyone would be using minutes out of a pool of approximately 45,000 minutes a month. He stressed that this was for all employees, including department heads, the Parish President and the Council. Mr. Curole continued to speak on the matter in detail. He advised the Council that he would need to know if any of them would wish to opt out and would also have to get from each one who wanted to participate which type of phone they would be interested in. Mr. Curole advised the Council that a booklet with phone options had been provided to them for their review. He continued to speak briefly. Mr. Atzenhoffer asked if this would change the agreements had by himself and Mr. Gouaux with their personal phones? He asked if this would change the dollar value that had been agreed

upon for a monthly rate? Mr. Curole stated that he would think that it should but that he thought that was the Council members' call. He said that he would think that in Mr. Atzenhoffer's circumstance that it would not because he was still using the plan that he was using. Mr. Curole stated that he thought that the monthly charge would be a little lower with the AT&T service for something comparable. He continued to speak on the matter. Mr. Atzenhoffer stated that he wished to opt out and explained his reasons for same. Mr. Delatte asked if he would actually have service, and then asked if Mr. Curole would have service in Choupic? Mr. Curole stated that he thought the service would be better. Discussions ensued. Mr. Curole informed the Council that part of the plan being offered was that the old phones would be bought back. It was then asked if the same telephone numbers would be kept, to which Mr. Curole responded that yes the same numbers would be kept. Mr. Gouaux voiced that he wished to change but that he needed a personal phone. Mr. Curole stated that he would think that to be a Council decision with regard to the reimbursement to councilmen. He said that he thought that the dollar amount would probably have to be adjusted and stated his reasons for saying same. Mr. Gouaux asked when this would take effect and whether the Council had to take action at the current meeting regarding this matter? Mr. Curole stated that a final decision had not been discussed with the Parish President but that they could basically proceed hearing no objections. Mr. Gouaux stated that this would be in the form of a contract so it would have to come before the Council, to which Mr. Curole stated that this was basically a service and that a service contract did not have to come before Council. Mr. Toups asked if a motion was needed from the Council in order to have the Administration negotiate, to which Mr. Curole stated no and that he would think that the only motion from the Council would be if the reimbursement policy was to be adjusted. Mr. Toups suggested that the Administration make the deal and have each councilman advise of their choice during the current week. Chairman Lasseigne stated that he currently had AT&T service personally and the Nextel Blackberry, saying that sometimes he could not get service on one or the other but that he almost always could get service on one or the other. He continued voice his thoughts on the matter and stated the he would keep his personal AT&T service he had. Discussions continued. Mr. Curole pointed out that this was a state contract so the Parish was receiving discounted rates and then elaborated on same. He then stated that parish employees would receive a 15% discount on their personal service. Mr. Gouaux inquired as to service with regards to emergency storm events. Mr. John Telford, Corporate Account Executive, addressed the Council and explained that he handle the area from Pointe Coupee Parish down to Grand Isle on Highway 1 and Terrebonne and St. Mary parishes. He went onto advise the Council that his boss, Mr. Everett Bergeron from Lafayette was also in attendance at the meeting. Mr. Telford explained that since hurricanes Katrina and Rita they had spent \$1.7 million dollars in the State of Louisiana to upgrade their systems. He explained that right after Hurricane Katrina they had lost power for two (2) weeks and that the switch which he said was located in Metairie had been flooded so there had been no service. Mr. Telford explained that it had taken two (2) weeks to use an old switch in St. Rose to power up in order to get cell coverage to the market. He then explained why in December Lafourche and Terrebonne calls had to be "switched" out of Mobile, Alabama. Mr. Telford stated that since that time the company had built four (4) switches for the New Orleans area, which he said this area was part of, in Abita Springs, across I-12, adding that they were "high and dry". He went on to report that additional switches were built in Baton Rouge, Lafayette and two (2) in the Shreveport market. Mr. Telford explained that there was a redundancy and if something went wrong calls could be moved a lot easier. He went on to report that permanent generators had been put on the cell sites or that they would bring portable ones in once a storm hit the Gulf. He continued to speak at length on the matter. Discussions ensued.

President Randolph stated that she had not given a report at the current meeting due to the anticipated length of the agenda but added that she did want to remind the Council and the public of some events. She stated that there was an election on Saturday, March 31, 2007 and asked that

everyone go out and vote for the various issues on the ballot. President Randolph stated that also on Saturday, March 31, 2007 was the Bicentennial Celebration to be held at the Raceland Recreation Center. She stated that one (1) comment sheet had been received from a council member regarding the Emergency Procedures and added that they would welcome any other comments that the Council had, adding that they would like to finalize the procedures in the near future. President Randolph then informed the Council included in some of the documentation handed out to the Council prior to the meeting was a proposal with regards to filming inside the Council Chambers, adding that the actors included Halle Berry and Billy Bob Thornton. Discussions ensued.

ENGINEERING AND ARCHITECT 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.

The next item (8) on the agenda was reports fro JBC/AIA regarding the Library projects. Mr. Joseph B. Caillouet, JBC/AIA, next reported that with regards to the Six Ward, Bayou Blue and Raceland projects that final walk-throughs had been done the week of March 19, 2007. He explained that included in the walk-throughs were the contractor, Mrs. Beverly Arabie, Library Director, and representatives from the Parish. He said that for all practical purposes the projects had been completed, saying that if there were any items that were remaining on the punch list they were going to be taken care of the day of the walk-throughs or the day after by the contractor. Mr. Caillouet reiterated that for all practical purposes these abovementioned projects were completed and were up and running and being used by the public. He then reported on the Galliano project, saying that he believed that there were three (3) or four (4) items that were on the punch list, one of those he said was the lights in the ceiling, electrical transfer, sprinkler system and the balance report. Mr. Caillouet stated that the final walk-through had been scheduled for the week of April 2, 2007 but that it was difficult to get all of the engineers together at one time to get the final walk-through done. He then explained that they were waiting on Mr. Ken Boudreaux, who he said was in charge of the air conditioning, saying that he currently had surgery scheduled for the week of March 26, 2007 but that hopefully in the first part of the week of April 2, 2007 they should be able to finalize that. Mr. Caillouet stated that he was aware that there had been press coverage regarding the sprinkler system and the threat from the fire marshal to shut down the facility. He stated that he wanted to stress to the Council that he did not think there had ever really been a threat by the fire marshal to shutdown the facility. Mr. Calliouet stated that he had explained to the newspaper and to everyone that the additional sprinkler heads that were put at the library were in addition to the base bid that had been given by the contractor. He explained that the additional sprinklers were added for the reason that if the Library Board ever choose to have some type of book sale or use of the canopy on the outside of the building then that area had to be sprinkled. Mr. Calliouet stated that there had been a delay in getting the sprinkler system installed and further that they had conferred with the fire marshal. He said that the fire marshal has a job to do and that every forty-five (45) days he reviewed all the projects but that he could assure the Council he said, as he did in the past, that there had never been a real threat to shutdown the Galliano library. Mr. Caillouet stated that he would think that when the next scheduled walk-through was completed that the Galliano project would be completed. He said that the with regards to the Larose project that they were scheduled to have all of the drawings completed by April 1st, saying that had been the scheduled given to him by the engineers. Mr. Caillouet voiced that he would hope the prior to Easter or right after the complete set of drawings would be in the hands of the Library Board for their review and any final comments so that the project could be put out to bid. He then reported on the Lockport project, saying that it was moving along nicely. Mr. Caillouet stated the he would encourage, based upon the soil borings and the structural foundation analysis, that a two (2) bid packages be done on the job. Mr. Caillouet stated that the first bid package would be a site prep wherein fill could be brought in as soon as possible

to try and get the amount fill being brought in time to compact. He stated that during the compaction period they would be finalizing the construction documents. Mr. Caillouet stated that this should work out fairly nice, saying that there had been a similar project in Pierre Part where it had been done in two (2) separate bid packages, which he said worked out nice for all of the concrete pavements and the building itself. He said that this should bring the Council up to date on the projects and then asked if there were any questions. Mr. Atzenhoffer inquired as to the Lockport facility and stated that Mr. Caillouet had said that bid was looking to be gone to in early May, and then asked about the two (2) bid packages mentioned by Mr. Caillouet. Mr. Caillouet stated that he would think that the site prep, hopefully sometime in April, mentioning that that it was currently April 1st. He said that they would try and abide by the schedule as much as possible. Mr. Caillouet stated that the Lockport facility was 10,000 square feet and that it was a little bit bigger project than at the other facilities. Mr. Atzenhoffer asked how much fill was being looked at? Mr. Caillouet stated that they were working on the matter to get them out as soon as possible. Mr. Atzenhoffer then inquired about the government complex in Galliano, asking when they would be going to bid? Mr. Caillouet stated that they were hoping to get it out and then stated that on March 27, 2007 they had been given a new floor plan to work from. He said that there had been changes brought on by the Assessor and the Clerk and a couple of “flopping” over of offices back and forth. Mr. Caillouet stated that some engineering work had been done. He said that they were finalizing the floor plans to the changes that were made to the floor plan. Mr. Atzenhoffer stated that it could be another month, to which Mr. Caillouet stated yes. Mr. Caillouet went on to say that it was a simple job but that it was to finalize something to give to the contractors to get bid ons. He reiterated that they were finalizing the floor plans in arrangement with all of the entities involved. Mr. Caillouet stated that Community Action had had changes to their plan, saying that they had been very close to put this out to bid and that with the new changes it basically pushed them back some. **Mr. Atzenhoffer stated that at some point he would like to get from Mr. Brennan Matherne, Department of Parks, Recreation and Public Facilities, some time in the current week, a deadline date for changes to be made.** Mr. Caillouet stated that he thought that the deadline had occurred and had been very well stated on March 27, 2007. Mr. Callais then recalled to Mr. Curole that they had meet previously regarding this matter and that he thought this had been finalized. He then asked what was going with Community Action? Mr. Callais then recalled who was present at the meeting he had spoken about and then reiterated that he thought this had been finalized. He asked what was going on with Community Action and the Assessor? Mr. Curole stated that he would ask Mr. Brennan Matherne to provide support on the issue but that firstly the drawings that had come in recently showed electrical work in what they had listed as an unfinished area. He said that they had received a request by Community Action to move them to a different part of the structure. Mr. Curole continued to voice his thoughts on the matter. Mr. Caillouet stated that the unfinished area was basically sheet rocked untaped and “unfloated” in an unfinished area. Mr. Curole stated that in the original discussions it had not been finished and that it was unfinished. He said that he did not understand why there was electrical and/or sheet rock or anything, as to him unfinished meant unfinished and not a part of what someone would be bidding on. Mr. Curole stated that he would also say that there was at least three (3) to five (5) of the things that had been discussed that were not included in the plans given. He asked that Mr. Caillouet “please not point the finger” and say that they had made changes as there were some things such as doors that were missing and windows that were not taken out that were not in the plan and added so that plan was not finished and ready to be submitted. Mr. Curole said that the Community Action change was only if the assumption was changing that the area was to be charged for. He continued to speak on the matter. Mr. Callais voiced his reasons for saying that all these changes had to stop. Mr. Caillouet stated that there was no fingering pointing on this and that it was just finalizing what they had. He said that “flipping offices back and forth” were some changes that they were trying to incorporate to finalize the project and get it out to bid. Mr. Curole stated that he had not heard the

mentioning of the Administration by Mr. Caillouet when he spoke of getting a copy of the drawings of a library facility to the Library Board. He said that when there was a review by the Library Board and Mrs. Arabie of the Larose facility that the Administration wanted to be involved in the review. Mr. Curole stated that Mr. Matherne and Mr. Terry Arabie needed to be present at the meeting and very much involved in the review. Mr. Lorraine inquired about the South Lafourche Library and stated that Mr. Caillouet had stated that there had been no concern about the fire marshal. He stated that he thought that there was a big concern. Mr. Lorraine stated that the library had opened in September and that the canopy at the front entrance had been cited on August 4, 2006. He then stated that on December 19, 2006 a failure to comply was noted. Mr. Lorraine stated that these dates were not recent. Mr. Lorraine said that after several re-inspections, another one which occurred on March 14, 2007, had produced an additional failure to comply order to be issued. He read from documentation that he had that this matter had been turned over to New Orleans District's office for further action. Mr. Lorraine stated that he thought that there was a concern. He said that half of the facility was fixed and further that it should have been fixed some time ago. Mr. Lorraine continued to voice his thoughts on the matter. Mr. Caillouet stated that what they trying to say was that to do a small section of the canopy would take approximately as much time to get pass all of the permitting and all the other work that would be done for a 20,000 square feet building. Discussions on the matter ensued. Mr. Lorraine commented on a balance report and read from documentation in his possession that Mr. Caillouet had said that A&G Refrigeration Repair had sent on March 13, 2007 and would have test run by week ending March 31, 2007 and that from these test that balance reports would be done. Mr. Lorraine stated that that was never done. Mr. Caillouet asked if Mr. Lorraine was speaking of the balance report? Mr. Lorraine reiterated that it had never been done, and commented on sensors not being changed. He then spoke about the light fixtures in the lobby and again reading from documentation in his possession, read that Eagle Electric had been notified of need for completion. Mr. Lorraine stated that that was never done. Mr. Caillouet stated that they were aware that the light fixtures were on back order and had notified them to go ahead and get any light fixtures to fill in the holes and that when the permanent light fixtures for the facility were obtained they would be replaced with the other light fixtures. Mr. Lorraine then commented on the sprinkler system again, stating that he felt that if Mr. Caillouet continued what he was doing that he would think that the fire marshal would shut the facility down. Mr. Caillouet stated that he did not suspect that the project would be shut down by the fire marshal. A brief discussion ensued.

Mr. Larry Picciola, Larry J. Picciola, Inc., next reported on Road Sales Tax Districts 3,5, and 6 projects and explained the same in detail. *(Attached hereto as Exhibit 1)*

LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. Mr. Camille A. Morvant, II, Lafourche Parish District Attorney, next addressed the Council. He stated that he wanted to speak about the section of the Home Rule Charter dealing with Article III, Section 2, K, 3, that he said dealt with contacting independent contractors, parish employees, department heads and so on. Mr. Morvant stated that he had issued three(3) written opinions on the issue and had come before the Council in July of 2006 and spoke on the issue. He said that some of the Council members had thought he had over done it and may have been a little to stern with the things he had said at that meeting but that he had told them that if they asked him that he had done it because of the significance and how important that particular part of the Home Rule Charter was to the Council. He stated that section could cause the Council members to lose their jobs. Mr. Morvant stated that this was not anything that was new in the Home Rule Charter. He continued to briefly speak on the matter. Mr. Morvant then stated that a complaint had been made in reference to this issue that they were currently looking at. He said that he had read minutes of meetings wherein there had been discussion from some of the Councilman that had basically stated that they

did this. Mr. Morvant stated that he had spoken to some of the Council members privately and had appreciated their candor with him that they had done, on occasions, what was at issue, saying it was sometimes by mistake and that they had thought about something that had to be done and so the Council member made a phone call. He said that he had read a letter from President Randolph on February 15, 2007 regarding misinformation being disseminated in reference to what could and could not be done. Mr. Morvant stated that in a nutshell and very simply, the Council's power was when they had the Council meetings, saying they legislated and not administered. He stated that he had spoken to a couple of the Councilmen and that he agreed that maybe the commissioners, when this part of the Charter had come up for discussion, stating that he recalled being at the debate when the part of the Charter had been discussed. Mr. Morvant stated that it could be argued that maybe they went overboard as far as really restricting Council members from getting involved in anything other than just being a legislator. He informed the Council that he had even read the charters of St. Charles Parish, St. Tammany Parish and Terrebonne Parish. Mr. Morvant stated that they all had language as was in Lafourche's Charter, saying that they were all Home Rule Chartered bodies. He said that those parishes did not have the mandatory duty, two (2) words which he said were very important, and that they had a mandatory duty not to do something, he said that the other parishes had not gone that far. Mr. Morvant stated that if he recalled correctly some of the Council members were present at the Commission meeting regarding this section. He said that the prior government had been brought up at the meeting, both the Council and the Administration. Mr. Morvant stated that there had been four (4) years without a budget, court cases that had shut down road projects and that roads were not built, no drainage, no departments heads for four (4) years, and no Parish Administrator for (4) years. He stated that the current Council and Administration had come a long way from where the Parish was when he had first been elected as District Attorney. Mr. Morvant stated that some of the Council may not like it and may think its too harsh that they could not make a simple phone call to someone who was not on the list if they did not have permission to do it. He said that this was what the Charter stated and that he had not made it up. Mr. Morvant stated that if the Council passed an ordinance at the current meeting that they would expect the general public and the parish to obey the ordinance, even he said, if the vote was five (5) to four (4) that the four (4) that had not voted for it were expected to follow the ordinance just like everyone else. Mr. Morvant stated that to him, the Charter was clear, saying that that was his job, to clarify it. He said that there were two (2) parts to the particular part being discussed. Mr. Morvant stated that the first part stated that it was a mandatory duty not to directly or indirectly interfere and said that that was what it said could not be done. He said that the second part told the Council what they could do, reading that the provision was not intended to prohibit a voting member of the Council from discussing a problem, voicing a concern, transmitting a complaint to department head or his designee if that person had been assigned by the Administration to hear the complaint or take the concern or take the call. Mr. Morvant asked if it was harsh that the Council could not call someone to deliver something or to check something, answering himself maybe but that that was what it said. He said that he would be candid and honest with the Council, stating that he felt as though he was being put on the spot and that either the Council would continue to do this until he did something. Mr. Morvant stated that he took being elected to public office very seriously, saying that he thought it to be one of the highest honors that could be achieved by someone and then continued to elaborate on the same. He stated that he did not want to see one of the Council members lose that honor because they wanted to test the waters on something. Mr. Morvant stated that if it was not liked that the Council had the authority to pass as ordinance and put it to the public and have them vote on it. He said that was what the Council had authority to do but said that until that was done and it was changed it had to be followed. Mr. Morvant stated that the section had been put there for a reason and that if he recalled correctly that some of the Council members had made the meetings and then stated that he had attend some of the meetings and that he remembered the discussion regarding this

section and why this had been included. He said that he recalled one (1) of the commission members stating that it would be made a mandatory duty so that if it was violated a crime would have been committed. Mr. Morvant stated that was what a mandatory duty meant and that if a mandatory duty was violated as a public official it was malfeasance in office for something so simple as making a phone call. He said that the Council could not do it and that the Charter said it could not be done. Mr. Morvant stated that it was stricter than other charters read from other parishes but that it stated what it stated. He said that he wanted the air cleared on this issue at the current meeting and did not want to see anything bad happen to any of the Council members, saying that an elector could bring something against a council member and that he could do it as well. Mr. Morvant stated that he was present to answer questions if there were some misunderstandings, that he did not know if it was misunderstandings or refusing to understand. He said if the Council wanted to ask questions, and then interrupted himself and said that the Council had had that opportunity when he had issued three (3) opinions. He said that with regards to one (1) of the opinions that he issued that he could not have made it clearer and then read from said opinion. Mr. Morvant stated that in the opinion he had given the Council five (5) things that he had asked that they do not do, saying that number 3 was that the Council members shall refrain from contacting independent contractors including but not limited to engineers, architects, for any reason, any correspondence or communications should go to the Administration. He said that that was their job, to administer. Mr. Morvant said that he knew that some of the Council were sitting there thinking that he was out of his mind, that if they got a complaint to remove something out of a ditch that they could not call someone to go and do it. Mr. Morvant stated that he had not written the section but that it was his job to make sure that it was obeyed. He said that it said that the proper party designated by the Administration should be contacted and that that person was responsible to go out and take care of the problem. He said that was how it had to work. Mr. Atzenhoffer stated that he remembered a good portion of the conversation at a couple of meetings, but that he thought that they wanted to ensure the death of the police jury and that that was why it had been included. He said that he thought that some of the confusion was that if he was walking down the street or walking into Rouse's and saw his field office personnel present that he would have to go to a different isle. Mr. Atzenhoffer stated that this had been brought up, that the Council could not speak to anyone at any time. Mr. Morvant stated no, and that he had never said that. Mr. Atzenhoffer stated that that was a lot of it because it was being said that the Council could not speak to anyone. He said that he could be civil and then asked if he wanted to stop at the field office one day to say hello if he could do that, to which Mr. Morvant stated yes. Mr. Morvant stated that he never intended, and that it had been stated before, but that he never intended to come to the meetings and state that the Council could not speak to anyone. He said he thought that Mr. Callais had inquired as to having a social or something, and stated that that was not a problem. Mr. Morvant stated that it said directing with parish business. He told Mr. Atzenhoffer that if he wanted to go and have a beer with one of the "guys" on a Friday night or meet him out on the sidewalk and talk about whatever. He said that this dealt with parish business, saying that the Council could not direct them or interfere with what was being done. Mr. Morvant stated that interfering meant that the Council was communicating with them on parish business that needed to be gotten to the Administration and that Administration had to handle it. Mr. Morvant reiterated that the Council's power was as the meetings, saying that the Administration negotiated contracts and agreements, hired people and fired people and made those calls. He said that the Council's job was to decide whether the contract goes into effect or not, adding that if the Council did not like what was in the contract that they would not vote for it, saying that was the authority had by the Council. Mr. Morvant stated that after it was done the Administration administered those contracts. He said that administer meant that they did everything for it. Mr. Morvant stated that if something on the contract happened that the Council did not like that they needed to get with the Administration and let them handle it. He said that the Council did not have that authority. Mr. Morvant stated that

no one could show him anywhere in the Home Rule Charter where a councilman had the authority to do it. He said that he was glad that Mr. Atzenhoffer had brought up that point and that he understood what he was saying, adding definitely not social, "how's things going", no, its parish business and that the Council could not direct them to do parish business or interfere. Mr. Atzenhoffer stated that he was glad that Mr. Morvant had elaborated on the matter because that conversation had been had. Mr. Toups stated that a lot of times with his occupation of being a salesman that he was on the road a lot and that if it was raining a lot he rode around his area. He said that if he saw something wrong he usually called the field office, adding that he did not direct them what to do but that he reported problems. Mr. Toups then asked if something was wrong with that, to which Mr. Morvant stated that he did not know if there was a designated person at the field offices. He said that he hated to be that "picky" but that that was what it said and that either it would be abided by or it would not be. Mr. Toups stated that whoever answered the phone was who he reported the problem to and that he did not tell them what to do about it but that if he saw something that was a threat to the Parish or if there was trash in a culvert or something. Mr. Morvant stated that he would assume that there was a provision but that he would ask, saying that he had not gotten involved in the procedural logistics of the matter and that if there was somebody to handle the issue at field office when someone called. He said that was how it ought to be. Mr. Toups asked if it was okay if the councilmen called the field offices and tell them, saying that was what he did, that he did not direct them to do anything. President Randolph stated that they were on the list and their cell numbers and phone numbers were on the list. Mr. Lorraine stated that his question was that if a project was getting ready to be done with thirty (30) streets and the Administration came to the Council for approval and all the channels had been gone through, interrupting himself by clarifying that it had to be voted on by the Council, to which Mr. Morvant stated that was correct. Mr. Lorraine then asked what if they added streets to the list and then asked how was he to find out? He reiterated that if the Council voted for thirty (30) streets and they decided to put five (5) more, how would he find out? Mr. Morvant stated that that information should be given to him. He said that one of the things that had been talked about was that both sides share information with each other. Mr. Morvant stated that he understood and that there were some things he could not answer. He said that all he could tell Mr. Lorraine was how it should work and that he could not tell him or make it work. Mr. Lorraine asked once more how he could find out if five (5) streets had been added without coming to the Council, asking also, who he would talk to? Mr. Morvant stated that that Mr. Lorraine should call the Parish President or the Administrator and ask for a list of the streets in that particular project and bring it up at a meeting. Mr. Lorraine stated that he had a list but that he did not feel comfortable with it. Chairman Lasseigne pointed out that a change order would have to be came with, to which Mr. Morvant stated that he did not really follow the procedure but that he was giving the answer of what he had to do. He said that he agreed with Chairman Lasseigne that a change order would be needed to be came back with to change the contract. Mr. Morvant stated that what he was doing was giving Mr. Lorraine a practical answer, saying that if he was not sure about something that he call the Administration and asked them. Mr. Lorraine stated that if he got a copy of it how would he find out if there were additional streets put in without a vote of the Council, saying that he could not find out and that he could not call the engineer or others? Mr. Morvant stated that if in fact the Administration would have added it that Mr. Lorraine should ask them for a copy of the list but that as Chairman Lasseigne had pointed out that the Administration would have had to come back to the Council to change the contract as that would be a change order. Mr. Gouaux stated that from time to time that this had happened, if the field office foreman was not on the list and called the council members about a problem if that was acceptable? Mr. Morvant stated that if someone had an issue to ask a council member a question on it and was directed and asking the council member the question that he would think that the council member could answer the question. He said that he did not want the Council to think that he was that rigid and that it had to be exactly

the way he said it and no other way. He said that the Charter was only as good as they people that were using it, as had been talked about at the commission meetings. Mr. Morvant stated that there had to be some flexibility with it so that if someone would call and it was an emergency and a councilman needed to answer a question that he would think that he ought to be able to answer the question. He said that what was trying to be avoided was what the previous council members went through and the type of government had, which he said was not a bad government but that the people had decided to change it after 1978 as they did not want to have a police jury government anymore. Mr. Morvant stated that he thought that one of the Council members had stated previously that up until a couple of years ago that the Parish was a Home Rule Charter parish acting as a police jury. He said that everyone knew that. Mr. Morvant stated that there had been councilmen giving engineers their own lists when a list had been given by the Administration and would say that he did not want some things done or wanted other things done. Mr. Morvant stated that could not be had under the current form of government. Mr. Gouaux stated that he understood exactly what Mr. Morvant was saying and that he thought that it was public perception of the way it was supposed to work or should work and that was simply because that was how it had worked as a police jury system for so long but that by right any day-to-day problems should be directed to the field offices by the residents of the Parish. Mr. Morvant stated that he had spoken to some councilmen that got in binds because they would tell him that constituents would come to them with an issue or problem and expected it to be solved right there and added that probably all of the council members faced that. He said that the constituents did not want to hear that they had to make a phone call. He said that if the Council had a mechanism to call someone at the Administration, which he said he would assume and hope was had, and report the issue of the constituent. Mr. Gouaux stated that what needed to be done was to educate the public more of the type government had in the Parish so that they would understand. He said that politically that when someone came to a person with a problem no matter how small it was they were looking for something to happen right away. Mr. Morvant stated that they had elected the councilmen and that they wanted them to solve the problem, saying that he understood that. Mr. Gouaux said that the public really needed to be educated as to exactly the way the type of government had worked at the present time and how it was supposed to work. Mr. Morvant stated that on that subject, that he would appreciate it if the Councilmen would not tell constituents that the District Attorney had told them they could not talk to them. He then elaborated on the matter. Mr. Callais stated that one move that he thought would solve a lot of the problems was to have the field office foremen on the list given to the Council, as Mr. Gouaux had stated earlier, they were not. He said that he was aware that some of the field offices did not have a secretary and that when a councilmen called the field office and spoke to the secretary all she would know was that she was answering the phone and that she did not know anything. Mr. Callais stated that he thought that adding the field office foreman to the list would be a major step because then the Council's quick questions could easily be answered by the field office foremen and would eliminate 85% of the problems currently being had. Mr. Lorraine stated that with regards to what Mr. Callais had spoken about that there had been a resolution passed by the Council to request the Parish President to allow the Councilmen to speak to the foreman. He said that if the Council could speak to others in the Administration why could they not speak to the foremen of the field offices, adding not to direct him what to do but to just talk to him. President Randolph stated that for Mr. Morvant's information that the director of the Department of Public Works was on the list as was the two (2) areas superintendents, as well as the people in charge of each particular part of the Department of Public Works and that therefore these people were very knowledgeable about what was going on in each area. She said that they had also included on the list the contact person for each field office so that if the council members were truly just reporting a work order then the person answering the phones could take that work order and submit it to the proper portion of the Department of Public Works. President Randolph stated that the temptation when speaking to the

foreman was to ask him to do the job, saying that it been seen to happen and that there had been reports of that happening and that it was a concern. Chairman Lasseigne stated that President Randolph had told the Council that they could call engineers, ask questions, but just not direct. President Randolph stated that she had corrected that statement in the letter she had sent to Chairman Lasseigne the next day. Chairman Lasseigne stated that it had caused more confusion, saying that she had told the Council that they could speak but not direct. He said that he would follow the Charter and that credit should be given to Mr. Morvant for enforcing it as it should be enforced. Chairman Lasseigne stated that the Council gets conflicting information. He continued to speak of his thoughts on the matter. President Randolph asked Mr. Morvant to please answer whether he was suggesting that the Council should be able to call the engineers or not? Mr. Morvant stated absolutely not. Discussions then ensued regarding a statement made by President Randolph in where she stated that the engineers could be contacted by the Council and her sending of a letter to correct the statement. Mr. Morvant stated that if guidance was needed that his June 2006 letter should be re-read. He then spoke about a copy of a letter sent out by President Randolph on February 15, 2007 and that he had read the minutes, saying that the confusion had come out about it. Mr. Morvant stated that he thought that there had been some confusion and would rather that it was that then people just intentionally stating that they were going to do it anyway, adding that he liked to give people the benefit of the doubt and would do that at the current point. He stated that there should be no more confusion after the current meeting and that everyone should be able to agree. Mr. Morvant stated that he was present and that if there were questions and the Council was not sure as to what they should or should not do. He continued to briefly speak. Mr. Morvant stated that if the Council had questions and was not sure that he had always said to ask. He said that if something happened and they advised of the wrong thing and then the Council did it, that they would be there to tell them that they had told them the wrong thing. Mr. Morvant stated that he expected that if he asked the Council not to do something that he would expect them to do that also. He asked if there were anymore questions? Mr. Morvant then asked if the Council would consider, with regards to the resolution concerning the inflatable bladders, that he be allowed to make comments at the present time? He said that he wanted to remind the Council that this all started when he came to address the Council in October of the previous year and that maybe a look should be taken at contesting the charge or whether the Parish was being overcharged. He said that a lot more information had been gotten since that time and that it was now believed that more of the bladders had been out then what he had thought had been out there at the time. Mr. Morvant stated that also found out since that time was that the Parish was trying to save money for an entity he would say would not help the Parish if they were in a bind and if litigation was gotten into. He said that he wanted to let the Council know what the Parish was exposed to and that they would have to make their own decisions on where to go with it, but that if litigation was gone to then he would be coming to the Council and asking for the money to keep the litigation going as it moved forward, saying two, three or four years, depending on how long it would take to complete it. He said that thousands of dollars would be being looked, adding that it costs money to take depositions, file papers and to do what had to be done. Mr. Morvant stated that as an attorney he also looked at worst case scenarios, saying that in this case the worst case scenario would be to go to court on the matter and lose and that the Parish would owe US Flood Control the principal balance of approximately \$4.8 million dollars plus legal interest that would be accruing from the date of the suit until the date of the judgement and then estimated on what the legal interest could possibly be. He said that also attorney's fees would be being asked for and that they would be calling the issue an open account and that if they prevailed on that they would get 25% attorney fees on top of that. Mr. Morvant stated that when the dust settled that the Parish was probably looking at approximately \$6 and ½ to \$7 million dollars that this debt would come to. He said that the Parish would be standing out there to pay it because FEMA was not going to help. Mr. Morvant continued to speak on the matter in detail. He stated that Parish

had felt, and still felt, that the Parish had been overcharged and should not have to pay the bill. Mr. Morvant stated that he thought that the position could be gotten in to where money was saved. He then commented on the concern of the Council that they would be on the line for the matter if they voted for it. Mr. Morvant stated that nothing was being approved until it was approved by the State which would get it “rubber stamped” by FEMA that they approved the payment. He then mentioned that it had been stated that the word “settlement” could not be used but that they would come up with something else. Mr. Morvant stated that if it was said that the Parish did not want to negotiate that the doors would close and the Parish would end up getting sued. He said that he wanted to make the Council aware of that. Mr. Morvant stated that he was not telling the Council how to vote but that he wanted to make them aware that if the Parish was sued that at the final outcome that the Parish would be standing alone if the funds were not available. He then mentioned that they had met with “Mr. Gonzales” and further that he was applauding and complimenting the Parish for what it was doing and that it was the right thing and that the Parish was a good steward of the money but said what if Mr. Gonzales was not present the next year and someone else thought it was a “dumb” move that had been made?. Mr. Morvant stated that the person that was present was the person that needed to be dealt with. Mr. Gouaux stated that he has always thought that since the first day that the fee should have been paid and then bring the matter to the Attorney General to have the contract and the contract investigated for price gouging because doing it the way it was currently being done would not impact the way FEMA did business in the future, as they were not directly involved. He said that there had been some major problems with FEMA and the way they had operated and distributed monies. Mr. Gouaux stated that he thought that there was re-form needed to happen and that this issue could have been a mechanism to make that happen through out the organization. Mr. Morvant stated that the only problem that he would have with that was that he hated paying some one money and then trying to get it back from the later on. He said that if money was paid in the current situation that the owner would be going back to Canada and that that would be the only issue he would have with that. Mr. Morvant stated that the owner could have been turned over to the Attorney General to be investigated, saying that the Parish had been billed. He explained that they prosecuted people often who attempted to price-gouge before they received money. Mr. Morvant voiced that he thought that a resolution had been passed to have the matter investigated by the U.S. Attorney General but that he had not known where it had gone. Mr. Gouaux stated that he was under the impression that the Parish would have had to have paid the bill first. Mr. Morvant stated no and then said that when someone was paid money it be better money that did not want to be seen again. He said because paying the owner money and then trying to go back was his concern, saying that was paying under protest. Mr. Morvant stated that if he had been paid under protest and the owner was back in Canada then they would have to track him down to get him back. He said if the Parish sued and won the owner could have gone bankrupt by that time, then the Parish would not get a penny back from him and FEMA would be looking to be reimbursed by the Parish. Mr. Gouaux then asked what were the channels to follow to check into the resolution that had been sent regarding the investigation? Mr. Morvant stated that he would check into and that he had no idea what had happened to it, saying that he did not know if it was forwarded on. He said that someone would have had to have forwarded it on to the U.S. Attorney, adding that he did not know if the Council Clerk was responsible for that or not. Mr. Atzenhoffer stated that for those who did not know, that the resolution had been hand carried to the U.S. Attorney’s office. Mr. Morvant then asked if a response had ever been heard back on it, to which Mr. Atzenhoffer stated that the word was that those things took three (3) to five (5) years. Mr. Atzenhoffer then asked Mr. Morvant if anything else had been received from U.S. Flood, to which Mr. Morvant stated no, not a word since the Special meeting held on March 20, 2007. Mr. Atzenhoffer then asked if the finality of the resolution on the March 27, 2007 agenda regarding the matter was too strong? Mr. Morvant stated that finality meant that it was over with and that he did not think that it could get any stronger that. He said that if it was

shut down then the owner would have to make a choice, to walk away with nothing or sue the Parish if negotiations were shut down, unless another offer was made to him. Chairman Lasseigne stated or he accepted the offer, to which Mr. Morvant stated or he would come back with a counter offer. He said that the only offer gotten from the owner had been \$3.6 million, 75% of the total debt. Mr. Morvant then recalled that the Council had made an offer of \$1.2 million, which he said had been officially rejected. He said that he would like to make another offer and to see where this matter was being gone with. Mr. Morvant stated that it was the Council's call but that if the Council kept going down on their offer it would make it harder to settle. He explained that he had been negotiating for a long time and usually the person owed the money went down with his offer and not the person who owed the money, saying that person usually went up. Mr. Atzenhoffer explained that he had included the final language in the resolution on the March 27, 2007 agenda item because at what point does the Council say, and was then interrupted by Mr. Morvant who stated that the Parish had the money and that the way he looked at it was that the Parish had the money and that according to Mr. Gonzales the Parish could hold it as long as the Parish was dealing in good faith and moving along. He said that as long as the Parish had the money, something the owner wanted, that he still thought that the Parish was in the driver's seat and could make an offer and see if the owner would come back with an offer. Mr. Morvant stated that stranger things have happened and recalled that he had told the Council recently that he could not count how many times he stood in a hallway before going into a negotiation and thought that matter would never be settled and the matter was settled. He said that he was still optimistic that the matter could be settled but that he thought it had to be done in good faith and then commented on the amount going down instead of up. Mr. Atzenhoffer said that was the plan, to get the owner to come back to the Council with an offer. Mr. Morvant stated that the Council could do whatever they wanted to do and that it would be sent to him. A brief discussion ensued regarding the amount included in the resolution on the Mach 27, 2007 agenda. Mr. Callais asked if there was 100% proof that in a year's time from the present time that if this matter went to court and if the Parish lost if FEMA would still have the money to pay the bill? Mr. Morvant stated that the Parish had the money at the present time and that it was his appreciation that it was in account. Mr. Callais asked if this went throught litigation if FEMA was going to pull the money away and then asked what kind of gurantee was had from FEMA that the money would still be available? Mr. Morvant stated that was what he had said earlier, that the Parish did not have a guarantee and continued to elaborate on the matter.

ORDINANCES FOR DISCUSSION AND RATIFICATION

The next item (9) on the agenda was an ordinance amending and reenacting Section 4:24 of Sub-Chapter "A" of Chapter 4 of the Lafourche Parish Code of Ordinances as it pertains to the Standard Operating Procedures of the Lafourche Parish Animal Shelter. A **motion** was made by Mr. Michael Matherne, seconded by Mr. Brent Callais and **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

ORD. NO. 4014 OPERATING PROCEDURES; ANIMAL SHELTER

President Randolph announced that the Animal Shelter Grand Opening was scheduled for March 28, 2007 at 4:00 p.m. She stated that everyone was invited to attend.

The next item (10) on the agenda was an ordinance amending Chapter 25, Sub-Chapter "A," Streets and Roads adding Section 25:2 to recognize Public Rights over Existing Streets and Right-of-Ways in the Parish System. A **motion** was made by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. Mr. Michael Delatte offered an **amendment**, seconded by Mr. Brent Callais. The amendment adds:

At 25:2 2C2

Where the dedication exists, as a street name with no definite measurement of width and length, then the Department of Public Works shall measure the current improved street length, which shall be indicated in the Department of Public Works listing of public streets. There shall be no obligation by the parish to continue the street as public.

At 25:2 2C3C

When an ordinance is introduced to accept a street via tacit dedication (3 above), the Department of Public Works shall provide notice to the landowner in title. Notice shall be either personally served or served via certified mail. Both the landowner in title and representatives of tThe Department of Public Works shall have the opportunity to interview said supervisors to confirm or deny sworn statements. Public Hearings shall be held repeatedly at Council Meetings and the item deferred until the Department of Public Works until 100% of the landowners in title have received service. When service of 100% has been achieved, the Department of Public Works shall notify the Council Clerk. Two public hearing shall be held on this proposed ordinance giving landowners in title the opportunity to object or oppose the acknowledgement of the Tacit Dedication.

The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. An **amendment** was then offered by Mr. Michael Delatte and Mr. Brent Callais. The amendment removes a section to be added by the proposed ordinance:

At 25:2,3D

~~D Where the 3-years of maintenance exists due to a right of passage from a property owner for a specific purpose other than for general public use and yet general public use has evolved, then the parish council may acknowledge this tacit dedication as described in this section.~~

The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. The motion as amended *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux.

ORD. NO. 4015 PUBLIC RIGHTS OVER EXISTING STREETS & RIGHT-OF-WAYS

The next item (11) on the agenda was an ordinance accepting into the Parish system the subdivision known as The Sugar Ridge West Subdivision, Addendum No. 5, Phase "A" into the Parish system. A **motion** was made by Mr. Michael Delatte and seconded by Mr. Lindel Toups. Mr. Delatte stated that all the requirements had been met and that they had gone above and beyond. He stated that the Parish needed to accept it. The motion *carried* by a vote of seven (7) yeas and two (2) nays, that being of Mr. Mark Atzenhoffer and Dr. Tommy Lasseigne.

ORD. NO. 4016 ACCEPT, SUGAR RIDGE WEST SUB., ADD. NO. 1, PHASE A

The next item (12) on the agenda was an ordinance establishing a "No Parking-Fire Lane" on West 196th Street in Golden Meadow for its entire length on the north side, and a "No Parking-Fire Lane" for its entire length on the south side, Ward (10), District (9), of Lafourche Parish, State of Louisiana; installing the necessary "No parking-Fire Lane" signs; and providing for penalties for violations thereof. This item was deferred to the next meeting of the Council, that being April 10, 2007.

ORDINANCE DEFERRED TO APRIL 10, 2007 LPC MEETING

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

PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (13) on the agenda was an ordinance amending Ordinances 3790 and 3998 to creating Section 5:99 and amending Sections 100-110, and adding Sections 111-121 of Chapter 5, Sub-Chapter B of the Lafourche Parish Code of Ordinance relative to the Lafourche Parish Building Code and Permit Schedule. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Atzenhoffer explained that what this did was to clear up the Code of Ordinances, saying that the Council had made various amendments and that those amendments had not meshed. He stated that nothing had changed but that it had put everything where it was supposed to be. Discussion ensued. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4017 AMEND BUILDING CODE AND PERMIT SCHEDULE

The next item (14) on the agenda was an ordinance accepting the Subdivision known as The Redivision of Lot 14 Bayou Bend South Subdivision of Property belonging to Henry & Christie Scott III into the parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 4018 ACCEPT; SUBDIVISION, HENRY & CHRISTIE SCOTT, III

The next item (15) on the agenda was an ordinance accepting the Subdivision known as The Redivision of Tract 2 of the Estate of Sidney Joseph Himel or Assigns into the parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4019 ACCEPT; REDIVISION; ESTATE OF SIDNEY JOSEPH HIMEL

The next item (16) on the agenda was an ordinance accepting the Subdivision known as the Division of a Tract belonging to Dennis Boudreaux, Eugenie L. Boudreaux, Jody Detillier and Tina Detillier into Lot Extension A and Lot Extension B into the parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4020 ACCEPT; BOURDEAUX/DETILLIER

The next item (17) on the agenda was an ordinance accepting the Subdivision known as the Angelette Estate Subdivision into the parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4021 ACCEPT; ANGELETTE ESTATE SUBDIVISION

The next item (18) on the agenda was an ordinance accepting the Subdivision known as the Lisa Arcement Zeringue Lot 1 Subdivision into the parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Brent Callais.

ORD. NO. 4022 ACCEPT; LISA ARCEMENT ZERINGUE LOT 1 SUBDIVISION

The next item (19) on the agenda was an ordinance accepting the Subdivision known as the Subdivision of Tract 1-A of the Eugene Chiasson Subdivision into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance.

Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Brent Callais.

ORD. NO. 4023 ACCEPT; EUGENE CHIASSON SUBDIVISION

The next item (20) on the agenda was an ordinance accepting the Subdivision known as the Blue Ridge Pointe Subdivision, Phase "E" into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Brent Callais.

ORD. NO. 4024 ACCEPT; BLUE RIDGE POINTE SUBDIVISION, PHASE E

The next item (21) on the agenda was an ordinance accepting the Subdivision known as the Cumberland Estates, Addendum No. 1 into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4025 ACCEPT; CUMBERLAND ESTATES; ADD. NO. 1

The next item (22) on the agenda was an ordinance accepting the Subdivision known as the The Division of 24.655 Acres Being Tract A Belonging to Dr. Clay E. Pierce, DVM into Tract A-1 & A-2 into the Parish System. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4026 ACCEPT; DIVISION OF TRACT A, DR. CLAY E. PIERCE, DVM

The next item (23) on the agenda was an ordinance authorizing an Act of Sale by the Lafourche Parish Council to sell property situated along the Bayou Lafourche Bridge at Mathews, Route LA 634, situated in Sections 7 & 24, T16S-R19E as described in a Declaration of Abandonment (Highway 1 – Old Mathews Bridge Batture Property) Raceland, Louisiana; to authorize the Parish President to sign all necessary documents related to said sale; and to provide certified copies to all parties. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Callais asked if the Parish owned the Louisiana Highway 308 side? Mr. Curole stated that the Parish owned both sides. Mr. Callais then clarified that only one (1) side was being done, to which President Randolph responded that was correct. Mr. Toups asked if there was a sale for the property or if bids would be taken, to which Mr. Curole stated that bids would be taken. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Daniel Lorraine.

ORD. NO. 4027 ACT OF SALE; MATHEWS BRIDGE BATTURE PROPERTY

The next item (24) on the agenda was an ordinance accepting the Hurricane Rita Surge Inundation and Advisory Base Flood Elevation Maps as issued by FEMA as the parish's official flood elevation reference as they pertain to the unincorporated areas of Lafourche Parish. This item was previously discussed via deviation from the regular agenda.

ORD. NO. 4013 ADVISORY BASE FLOOD ELEVATIONS

The next item (25) on the agenda was an ordinance amending Ordinance no. 3965 declaring that (1) 1997 Pontiac Grand Am (Vin Number 1G2NE52M7YM544892) shall not be declared surplus property; and that (1) 1993 Corsica (Vin Number 1G11T5341PY202446) shall instead be declared surplus property. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer and *carried* by

a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4028 AMEND ORD. NO. 3965; SURPLUS PROPERTY

The next item (26) on the agenda was an ordinance establishing a Load Limit of three (3) Tons on the Cote Blanche Bridge, Ward 10, District 8 of Lafourche Parish, State of Louisiana; requiring the placement of “Load Limit” signs; and providing for penalties for violations thereof. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine and **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux.

ORD. NO. 4029 LOAD LIMIT; COTE BLANCHE BRIDGE

The next item (27) on the agenda was an ordinance approving the Servitude Agreement between Clarence Hebert and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Curole explained that there was error in the property description and then explained the same. He stated that there was a substitute servitude to be switched with. A brief discussion then ensued as to whether the servitude could be switched or if it needed to be amended. Mr. Brent Callais offered a **motion** to replace the included servitude with the substitute servitude, seconded by Mr. Mark Atzenhoffer and **carried** by a vote of nine (9) yeas and zero (0) nays. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 4030 SERVITUDE; CLARENCE HEBERT

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

PROPOSED ORDINANCES

The next item (28) on the agenda was a proposed ordinance approving the Servitude Agreement between DME Holdings LLC and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance. Mr. Lorraine asked where this was and who had submitted this agenda item, asking if he had submitted it? He stated that he had been trying to get right-of-ways in many places but could never get them. He continued to briefly speak on the matter and of his concerns. Discussions ensued.

PROPOSED ORDINANCE SERVITUDE; DME HOLDINGS LLC

The next item (29) on the agenda was a proposed ordinance approving an agreement with Shell Pipeline Company, LP allowing Lafourche Parish Government, Department of Public Works to dredge the forty arpent canal near their pipeline; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance. Mr. Toups asked where this was located and a brief discussion ensued. Mr. Gouaux explained its location.

PROPOSED ORDINANCE AGREEMENT; SHELL PIPELINE COMPANY, LP

The next item (30) on the agenda was a proposed ordinance providing a Variance from the Lafourche Parish Subdivision Regulations at Paradise Cove, Addendum No. 1 Subdivision, Ward (11), District (4) as recommended by the Lafourche Parish Planning Commission at their February 26, 2007 meeting. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE VARIANCE; PARADISE COVE, ADD. NO. 1 SUB.

The next item (31) on the agenda was a proposed ordinance to provide for 2007 Supplemental Appropriation Number Two (2) for salary adjustments of Parish employees within the Lafourche Parish 2007 Operation and Maintenance Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SUPPLEMENTAL APPROPRIATION NO. 2

The next item (32) on the agenda was a proposed ordinance to provide for 2007 Supplemental Appropriation Number Three (3) for adjustments within the 2007 Operations and Maintenance Budget to address insurance liability allocations and within the 2007 Capital Budget to address new needs and project overages as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance. Mr. Lorraine inquired about Section 3 and the reduction of \$1,250,000 from the Theriot Lock Project. He read from the proposed ordinance that the reduction of the \$1,250,000 for the Theriot Lock Project would not reduce or remove the parish's obligation to fund the Theriot Lock Project in an amount of up to \$2,100,000 and that the South Lafourche Levee District had confirmed that these funds would not be needed until 2008. Mr. Lorraine stated that he wanted an "iron clad" agreement between the South Lafourche Levee District and the Parish regarding this, saying that if the money was spent and it was not had in the following year to replace the locks it would not be known what to do. He stated that he would be making an amendment at the next meeting of the Council to have an agreement done with the Levee District and the Parish to protect the money. Mr. Curole stated that putting together an agreement would not be problematic but said that he had included the statements in the proposed ordinance specifically because the ordinance would have the effect of law and was in effect to create the obligation. He continued to briefly speak on the matter and discussions ensued.

PROPOSED ORDINANCE SUPPLEMENTAL APPROPRIATION NO. 3

The next item (33) on the agenda was a proposed ordinance approving the revised Lafourche Parish Government Policies and Procedures Manual. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE APPROVE POLICIES AND PROCEDURES MANUAL

The next item (34) on the agenda was a proposed ordinance amending and re-enacting Sections 15:82(A)(1) and (E) of Sub-Chapter "E" of Chapter 15 of the Lafourche Parish Code of Ordinances relative to barriers across man-made canals and natural waterways; permitting requirements. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE BARRIERS; PERMIT REQUIREMENTS

The next item (35) on the agenda was a proposed ordinance establishing a Ten (10) miles per hour speed limit on East 129th Street, Ward (10), District (9), Parish of Lafourche, State of Louisiana; providing for the placement of "Speed Limit", "Speed Checked by Radar", and "Children at Play" Signs; and providing penalties for the violations thereof. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SPEED LIMIT; EAST 129TH ST.; VARIOUS SIGNAGE

RESOLUTIONS

The next item (36) on the agenda was a resolution approving a Contract between Casualty Actuarial Consultants, Inc. and Lafourche Parish Government; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Toups inquired as to what it was for, to which Mr. Atzenhoffer stated workers' compensation. The motion *carried* by a vote of nine (9) yeas and zero

(0) nays.

RES. NO. 07-078 CONTRACT; ACTUARIAL CONSULTANTS, INC.

The next item (37) on the agenda was a resolution approving an Agreement for Professional Services between Duplantis Design Group, LLC and Lafourche Parish to Engineer Lefort By-Pass in Road Sales Tax District 5; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 07-079 AGREEMENT; LEFORT BY-PASS ROAD, ENGINEER

The next item (38) on the agenda was a resolution authorizing the Parish President to remove the Larose Civic Center Remortaring Project from the Project Lists within the Lafourche Parish 2007 Capital Budget and approving a Transfer of Appropriation back to the Recreation Fund (Account 110) to fund the project as a Grant. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. Mr. Matherne asked why this was being done, to which Mr. Curole responded that this was similar to the discussion regarding the generators and the fire districts had at a previous meeting. He said that the Parish was not doing the construction so why not treat it as a grant. Mr. Curole stated it was the same scenario, that the Civic Center would be doing the construction and that it should be put as an agreement. Mr. Matherne clarified that the funds would be used to clean the bricks, to which Mr. Curole stated yes, it was for the same purpose and same project that had been approved in the budget but that instead of calling it a capital project it would be called a grant. Mr. Matherne clarified that the Civic Center was not parish property, to which Mr. Curole stated that the Civic Center was not parish property but that the Parish had a residual ownership on the facility. Mr. Atzenhoffer voiced his thoughts on the project. He then asked if an estimate had been come up with to do this project? Mr. Curole stated that Mr. Brian Detillier was present at the meeting and could answer questions. Mr. Detillier addressed the Council and advised the Council that they had obtained estimated costs from Whitney & Cheramie Architect for the waterproofing project which he said had come in at \$111,709. He explained that the Civic Center had been having fund raisers for the project for a couple of years and had approximately one-half (1/2) of the funds already raised for the project. Mr. Detillier commented that they do recreational facility, as well as governmental agencies and for emergency preparedness with evacuations and the like, which he said of which the facility was one of the vital organizations that had helped during Hurricane Katrina. He explained that the problem being had with the Civic Center was that there had been seepage into the building during hurricanes and strong thunderstorms. Mr. Detillier stated that this was a way to shore up the facility to make sure that it was available to the public for mercy purposes, and as recreational and governmental facilities. Mr. Atzenhoffer clarified the amount of the bid and then stated that when this had been first discussed that it had been said that it would be being split 50/50. He stated the \$80,000 was larger than 50% of \$112,000. Mr. Detillier stated that it had been “not to exceed” \$80,000 but that was not to say that they were asking for \$80,000. Mr. Atzenhoffer stated that “not to exceed” meant that the facility could get up to \$80,000. Mr. Detillier stated that based on the funds that the facility had already raised that he would think that the Board would be willing to accept half of what had already been raised, saying that their half would have been \$58,000 and that was what they facility had raised so far on the project. Mr. Atzenhoffer asked President Randolph regarding an amount of \$60,000 to which she stated that this had already been approved in the 2007 budget for \$80,000 and then spoke about the switching of the project from a capital project to a grant. President Randolph noted that it stated “not to exceed”. Discussions ensued, including various amounts suggested. President Randolph stated that she felt that the facility was owed \$80,000 saying that she thought that the facility was very well used by the public and was very gracious to the public for use. Mr. Atzenhoffer then voiced his feelings on the matter and the splitting of the costs for each to pay half. Mr. Gouaux stated that he wanted to make the Council aware that this particular facility had been highly used for the last storm as an evacuation center and

the people housed there had to also deal with wet floors from the blowing of rain. He said that if the facility was going to be asked to accommodate people of the Parish in the time of emergency need that he did not think that \$80,000 was too much to give for the accommodations they provided, as well he said, as the recreation aspect of it. Mr. Gouaux asked that the Council vote for this matter so that the facility could continue to be an evacuation center. Mr. Callais clarified that the \$112,000 mentioned was an estimate from a contractor and that this had not gone out to bid yet, adding that no idea was had as to how much this project would cost. He said to decrease the amount to \$60,000 at the present time was premature. Discussions continued including Mr. Atzenhoffer stating that once this resolution was passed that the matter did not have to come back before the Council. Mr. Gouaux stated that it had been his understanding that facility was going to look for additional grant monies for the project, to which Mr. Detillier responded that was correct and that part of that was the hazard mitigation program which was discussed earlier. He said that there were also other opportunities if there was no other way to get the money from fund raising. President Randolph stated that one thing about facilities such as the Larose Civic Center or Cut Off Youth Center or other facilities was that one bad year for a festival and the facilities could go into debt. She said that the facilities relied very heavily on the festivals for their annual income and funding. President Randolph stated that secondarily was that the National Weather Service was currently looking to use facilities for quick shelters of last resort during extreme weather conditions such as tornado activity. She stated that there had been a consideration recently with bad weather to ask people in substandard housing to go to a shelter, and added that these were the types of facilities they would be looking at for use during bad weather conditions. President Randolph stated that not only were the facilities being looked at for extreme weather conditions but also quick and abnormal weather situations. She stated that she thought it would be good to continue to support the facility. Mr. Brennan Matherne voiced his thoughts on the matter. Chairman Lasseigne asked if the district collected a millage, to which Mr. Detillier stated no. Chairman Lasseigne then asked if the Parish paid for the facility when it would be used as a shelter, to which Mr. Detillier explained that there was a portion that would go toward operations in the event of a catastrophic event. He stated that it was the daily costs of operating the building, saying to open the doors each day. Mr. Detillier stated that for Hurricane Katrina that had been the agreement, to charge for the facility. He said that the district had not made any money off of the Katrina recovery efforts. Chairman Lasseigne then asked for an approximate amount paid per day, to which Mr. Detillier responded it was approximately \$1,000 a day. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-080 REMOVE PROJECT FROM LISTS; LAROSE CIVIC CENTER

The next item (39) on the agenda was a resolution approving a Cooperative Endeavor Agreement between the Lafourche Parish Government and the Bayou Civic Club to provide funding for the resealing and grouting of the Larose Civic Center, not to exceed eighty thousand and 00/xx (\$80,000.00); and authorizing the Parish President to sign, execute and administer said agreement(s). A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. Mr. Atzenhoffer stated that the agreement stated in Section 1 that the facility would be provide on a discounted fee for-use basis the Larose Civic Center meeting space for public hearings for federal, state and local meetings and on as needed basis, planning meetings in the wake of emergency preparedness operations. He said that the Parish paid to use the facility all the time when other facilities could be used for free. Mr. Atzenhoffer stated that that if the Council held a meeting at the Larose Civic Center it would have to be paid for but that if the meeting was held at the Cut Off Youth Center nothing would have to be paid and that would apply at the Raceland Recreation Center also. A brief discussion ensued. Mr. Detillier stated that since he had been director they had never charged for a meeting at the Larose Civic Center. Mr. Atzenhoffer stated that it was in the agreement and that it stated that the facility could charge. Mr. Atzenhoffer stated that he would still question why this

facility would be used as a shelter for hurricanes. President Randolph stated that it was a shelter of last resort and continued to explain but it was inaudible. Mr. Callais inquired as to if the Parish would be submitting the money as the invoices were sent in or if a check in the amount of \$80,000 would be cut? Mr. Curole stated that it was his intention that the facility would submit invoices. Discussions continued. Mr. Gouaux asked how many evacuees had been housed for Hurricane Katrina, to which Mr. Detillier stated that between hurricanes Katrina and Rita over 600 evacuees had been housed. The motion *carried* by a vote of seven (7) yeas, one (1) nay, that being of Mr. Mark Atzenhoffer and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-081 AGREEMENT; BAYOU CIVIC CLUB; LAROSE CIVIC CENTER

The next item (40) on the agenda was a resolution approving Memorandum of Understanding between Lafourche Parish Government and St. Anne Catholic Church regarding the use of facilities, in a time of emergency. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-082 MEMO OF UNDERSTANDING; ST. ANNE CATHOLIC CHURCH

The next item (41) on the agenda was a resolution approving an Agreement for Professional Services between Gossen-Holloway & Associates and Lafourche Parish to provide Architectural and Project Management Services for the construction of two buildings at the Lafourche Parish Detention Center site for the purpose of housing additional inmates; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Lindel Toups. Mr. Toups stated that in discussions that he had learned that the Parish would recover the money it was spending in approximately one (1) year and three (3) months from the stoppage of shipping of prisoners to other parishes. Mr. Atzenhoffer stated that this was a standard contract and pointed out that there was no exit clause and stated that he would not vote for as it was written. The motion *carried* by a vote of five (5) yeas, two (2) nays, that being of Mr. Mark Atzenhoffer and Mr. Brent Callais and two (2) absent, that being of Mr. Phillip Gouaux and Mr. Tyrone Williams.

RES. NO. 07-083 AGREEMENT; BUILDINGS TO HOUSE ADDITIONAL INMATES

The next item (42) on the agenda was a resolution authorizing the Parish President to remove the Emergency Generators for Fire Districts Project from the Project Lists within the Lafourche Parish 2007 Capital Budget and approving a Transfer of Appropriation back to the Building and Maintenance Fund (Account 102) to fund the project as a Grant. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-084 EMERGENCY GENERATORS; FUND PROJECT AS GRANT

The next item (43) on the agenda was a resolution approving a Cooperative Endeavor Agreement between the Lafourche Parish Government and Lafourche Parish Fire Districts and authorizing the Parish President to sign, execute and administer said agreement(s). A **motion** was made by Mr. Lindel Toups, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of eight (8), zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-085 AGREEMENTS; FIRE DISTRICTS

The next item (44) on the agenda was a resolution approving a Cooperative Endeavor Agreement with South Central Planning and Development Commission for the implementation of the Louisiana State Uniform Building Codes complying with Act 12 of the Louisiana Legislature; and authorizing the Parish President to sign, execute and administer associated documents. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-086 AGREEMENT; SCPDC, UNIFORM BUILDING CODES

The next item (45) on the agenda was a resolution requesting the Louisiana Department of

Transportation and Development (LADOTD) to install a 4-way stop traffic control device at the intersection of Louisiana Highway 648 (Percy Brown Road), Ardoyne Street and Holiday Street in Thibodaux, Ward (2), District (4) of Lafourche Parish, State of Louisiana. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Michael Delatte. Mr. Callais asked when it had been changed from a stop sign to a traffic control device, to which Mr. Matherne explained that this was blinking lights. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-087 4-WAY STOP DEVICE; LA. HIGHWAY 648

The next item (46) on the agenda was a resolution requesting the Daily Comet be removed as the Official Journal for Lafourche Parish. This item was pulled.

RESOLUTION PULLED

The next item (47) on the agenda was a resolution offering a counter offer to US Flood Control Corp regarding the water inflatable flood protection devices used during Hurricane Rita and if the offer is rejected, the district attorney is requested to cease all further negotiations with US Flood Control Corp. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Mark Atzenhoffer offered an amendment to strike out ~~and if the offer is rejected, the district attorney is requested to cease all further negotiations with US Flood Control Corp.~~, seconded by Mr. Brent Callais and *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams. Mr. Toups suggested amending the amount of the offer to \$1.2 million until further notice. A discussion then ensued regarding that offer already being rejected. Mr. Lindel Toups offered an amendment to change the amount contained in the resolution to \$1.2 million dollars, seconded by Mr. Michael Matherne. Mr. Toups stated that the company had turned down \$1.2 million so it was known that the \$925,000 would be turned down. He said that he thought the amount should be left at \$1.2 million and give a time frame of a month, saying that he thought that the company would be heard from. Mr. Toups continued to voice that the company would not accept \$925,000. Discussions ensued. Mr. Atzenhoffer explained that he had put this matter on the agenda because the company would not respond and that they had already said that they would not accept \$1.2 million. Chairman Lasseigne reminded Mr. Atzenhoffer that the discussion was on the amendment. Mr. Atzenhoffer stated that he would prefer that the amount not be amended back to \$1.2 million. The amendment *failed* by a vote of three (3) yeas, that being of Mr. Michael Delatte, Mr. Lindel Toups and Mr. Michael Matherne, five (5) nays, and one (1) absent, that being of Mr. Tyrone Williams. Discussions then began on the original motion as amended by Mr. Mark Atzenhoffer. Mr. Toups voiced his thoughts on the offer and stated that the company had turned down \$1.2 million and would definitely not take \$925,000. Mr. Atzenhoffer stated that that was the point, adding that the company was not speaking to them at the present time. He said that the company may come back with an offer. Discussions continued. Chairman Lasseigne clarified what the motion to be voted on was. The motion as amended *failed* by a vote of three (3) yeas, that being of Mr. Brent Callais, Mr. Michael Delatte and Mr. Mark Atzenhoffer, five (5) nays, and one (1) absent, that being of Mr. Tyrone Williams

RESOLUTION FAILED

The next item (48) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not the Lafourche Parish Council can establish both sides of a public street as a Fire Lane. A **motion** was made by Mr. Daniel Lorraine and seconded by Mr. Lindel Toups. Mr. Matherne asked Mr. Lorraine what he had remembered on this type of issue, asking if it was a Parish street could the Parish not just have “No Parking” on both sides of the street just because? Mr. Toups stated no, and that it was against the law. He voiced what he thought it was and then stated that there had been an opinion from the Attorney General with regards to placing “No Parking” signs on both sides of a road. Mr. Atzenhoffer stated that the way it had been explained was that both could not be had on both sides, saying that if the north side of a street was “No

Parking” that the south side of the street could not be “No Parking” and it had to be “No Parking-Fire Lane”. He reiterated that both sides of the streets could not have the same no parking restriction. Mr. Gouaux stated yet it was still against the law to park on a public street. Mr. Atzenhoffer then spoke of an ordinance wherein there was no parking in front of and the blocking of someone’s driveway. Discussions ensued. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-088 D.A. OPINION; NO PARKING -FIRE LANE; BOTH SIDES OF ST.

The next item (49) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not the Lafourche Parish Council is prohibited by State Law from changing the current Litter Laws to impose a Monetary Penalty of Three Hundred Dollars (\$300) for 1st offense and Three Hundred Dollars (\$300) plus Forty (40) hours of community service for 2nd offense; and whether or not the change is enforceable as written. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Gouaux stated that Lafourche Parish was becoming a dumping ground and that certain areas of the Parish were “garbage dumps”. He said that there was a collection group that should pick up mostly anything had to get rid of. Mr. Gouaux stated that the Parish needed to impress upon the people of Lafourche Parish and the people coming into Lafourche Parish that we do not want trash along side our streets and wanted to clean up the Parish. He said that the current law stated that anyone cited for littering must go to Court and then stated that there more important things for the judges to hear than littering. Mr. Gouaux stated that he though this would take care of the problem. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-089 D.A. OPINION; CHANGE LITTER LAW PENALTIES

The next item (50) on the agenda was a resolution reappointing One (1) Commissioner to the Lafourche Parish Fire Protection District No. 2 board. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups. Mr. Phillip Gouaux *nominated* Mr. Valcour E. Rodrigue. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-090 APPOINTMENT; FIRE PROTECTION DIST. NO. 2 BOARD

The next item (51) on the agenda was a resolution reappointing One (1) Commissioner to the Lafourche Parish Fire Protection District No. 4 board. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. Mr. Michael Matherne *nominated* Mr. Mike Tardo. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 07-091 REAPPOINTMENT; FIRE PROTECTION DIST. NO. 4 BOARD

The next item (52) on the agenda was a resolution reappointing Two (2) Commissioner to the Lafourche Parish Fire Protection District No. 9 board. A **motion** was made by Mr. Lindel Toups and seconded by Mr. Mark Atzenhoffer. Mr. Lindel Toups *nominated* Mr. Robert Landry, Jr. and Mr. Harris Griffin. The motion *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams

RES. NO. 07-092 REAPPOINTMENT; FIRE PROTECTION DIST. NO. 9 BOARD

DISCUSSIONS

The next item on the agenda was discussions. There were no discussion items.

ADJOURNMENT

On **motion** by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine, and with no further business, the Lafourche Parish Council Meeting of March 27, 2007 **adjourned** at 10:26 p.m.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL