

MARCH 28, 2006
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 28, 2006 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 Mr. Brent Callais, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 6:02 p.m.

Chairman Callais announced that the invocation would be led by Mr. Michael Delatte. 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
	Mr. Daniel Lorraine	Dr. Tommy Lasseigne
	Mr. Tyrone Williams	Mr. Brent Callais, Chairman
	Mr. Mark Atzenhoffer, Vice-Chair	
	Mrs. Charlotte Randolph, Parish President	

ABSENT:

APPROVAL OF COUNCIL MINUTES

The next item (1) on the agenda was a motion to accept the minutes of the March 14, 2006 Regular Session meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne to accept the March 14, 2006 minutes. Mr. Lorraine offered a correction to the minutes to correct that in the last paragraph on page 14, the date of 1987 should have been 1997. He then clarified that it was the Greater Lafourche Port Commission that had put up \$374,000 for the Airport Road. The minutes were **approved** by a vote of eight (8) yeas, zero (0) nays, and one (1) abstention, that being of Mr. Lindel Toups.

PROCLAMATIONS

The next item (2) on the agenda were Proclamations honoring the Lafourche and Terrebonne Gymnasts for their accomplishments at the Louisiana State Gymnastics meet. This item was deferred.

PUBLIC WISHING TO ADDRESS THE COUNCIL

The next item (3) on the agenda was the public wishing to address the Council. Mr. Richard Arabie addressed the Council regarding the paving of streets in the Country Club located in Thibodaux, the slow pace of the work being done and the hazardous conditions that have been caused by unfinished catch basins. He also handed out copies of photographs depicting the matter to the Council and gave the originals to the Council Chairman and asked that they be made public record. Chairman Callais inquired as to who the contractor was on the project, to which Dr.

Lasseigne stated that the contractor was Huey Stockstill, Inc. Dr. Lasseigne went on to explain how far into the contract the contractor was, and the amount of days still remaining. He said that the contract did not give the Council authority to tell the contractor when to start on something or when to do something, saying it only contained a completion date, with a \$330 per day penalty for non-completion by the specified completion date. Dr. Lasseigne explained that it was the subcontractor who had done the catch basins. He concluded by saying that the contractor would be going to the area the week of April 3, 2006 to do patching. Chairman Callais advised the Administration that he too was having the same problem in his district, saying that drainage work had been started, but that catch basins had been left open. He said that it was the same contractor and that one (1) of the catch basins had been open for two (2) weeks. Chairman Callais asked that the contractor be notified to take more safety precautions.

Mr. Dwain Andras addressed the Council next with regards to his Fire Protection District No. 6 Board appointment. He began by explaining in detail, along with handing out a copy of an e-mail he had sent to the Councilmen, how he had been appointed to the Fire Protection District No. 6 Board, had had the resolution rescinded due to a publication error and then had been excluded from the next appointment to the board because his application had not been re-submitted as he said he had been told it would be. Mr. Andras asked that the second appointment be rescinded and that his application be re-submitted for the position. Mr. Williams asked for an explanation of what had been the problem, to which Mr. Curole explained that at the present time the District Attorney's office was in the process of giving guidance on how to handle the situation. He explained that the District Attorney's office had come up with ideas of what should have and what should have not happened with the first resolution passed. Mr. Curole stated that it was also his understanding that Mr. Lee Prosperie, Executive Assistant, had informed Mr. Andras that he should re-submit an application. He said that he thought guidance was needed as to whether the original appointment should have been rescinded or not. Mr. Curole informed Mr. Andras that unlike when he was appointed, the oath of office and other pertinent paperwork had not been sent out to the second appointment. He said that they were currently awaiting clarification from the District Attorney as to which appointment was in effect. Mr. Andras pointed out that Judge Walter I. Lanier, III had sworn him into the position. He clarified that the District Attorney had been contacted to get an opinion on this matter and stated that he would like to be kept abreast of the status. Discussions continued on the matter. Dr. Lasseigne pointed out that he thought it to be silly to have someone re-submit a one (1) page application once the first appointment had been rescinded. He said that he understood that it was an oversight on someone's part but that it seemed to him that if Mr. Andras applied in a proper fashion for the appointment the first time, the application would still be appropriate. He pointed out that this matter was not the fault of Mr. Andras. President Randolph stated that the reason the District Attorney was asked to weigh in on this matter was so that the proper procedure could be followed. Mr. Gouaux inquired whether action from the Council was needed to obtain an opinion from the District Attorney, or if he would render the opinion upon the Administration's request? Mr. Curole stated that he thought that the original rescinding and reappointing was probably done to quickly, and gave reasons for stating the same. Mr. Toups asked why then, had the Administration put the matter on the March 1, 2006 agenda? He went on to say that if the matter could be rescinded the first time, that it should be able to be rescinded again. Mr. Toups asked if the rescinding could be done at the present meeting? Mr. Curole stated that the

Council could do what they wished but that his thoughts were to wait on the District Attorney's opinion. Mr. Toups spoke of the time elapsed from the rescinding of the first appointment to the time of asking the District Attorneys's opinion. Mr. Curole stated that the District Attorney's opinion had been asked for around the time of the rescinding of the original appointment. Mr. Toups suggested making a motion to rescind the second appointment and re-advertise the vacancy, pending the District Attorney's approval. Chairman Callais asked Mr. Toups if he wanted to address the issue on the Two-Thirds agenda, to which Mr. Toups stated that was fine. President Randolph reminded the Council that the District Attorney had asked that the Parish not take any action pending his opinions on any matters. Chairman Callais advised Mr. Andras to stay in attendance at the present meeting in order to see if the matter would be brought up on a Two-Thirds agenda or not.

PRESENTATIONS

The next item (4) on the agenda was a report given by Mr. Ron Sapia regarding the activities of the Lafourche Parish Youth Council. Mr. Sapia briefly explained the report he had furnished to the Council. Mr. Williams inquired as to whether he needed to appoint someone from his district to the Youth Council, to which Mr. Sapia responded yes, as soon as possible. Mr. Matherne thanked Mr. Sapia for all of his hard work with regards to the Lafourche Parish Youth Council and then congratulated him on his recent election as Vice-President Elect of the Student Senate at Nicholls State University.

ADMINISTRATIVE REPORT(S)

The next item (5) on the agenda was the presentation of WOW candidates and the Employee of the Month for February 2006. President Randolph stated that the Wonderful Outstanding Worker awards went to Ms. Doris Robinson Clark, Ms. Heather Dempster, Mr. Wallace McCann, and Ms. Darolyn Dufrene. President Randolph then announced that the Employee of the Month was Mr. Patrick Thibodaux, Sr.

The next item (6) on the agenda was Ms. Martha Babin, Head Start Director, who gave her quarterly report, attached hereto as Exhibit (1), elaborating on same as she reported it. Mr. Atzenhoffer stated that he had stopped in at the Head Start building in Bayou Blue on March 28, 2006 and said that it was fun. He then inquired if the roll-over Ms. Babin had spoken about in her report could be used to fill in the gap caused by the cut in their budget of approximately \$24,000? Ms. Babin stated that the budget cut would not hurt the program and then gave her reasons for stating so. She then explained how the \$45,000 roll-over had been derived at. Mr. Gouaux asked Ms. Babin for her e-mail address in order that he may get with her during the summer to learn what was needed with regards to the Community Assessment issue. President Randolph asked Ms. Babin if the totaled number of enrolled children included out-of-the-parish children, to which Ms. Babin stated that was the normal number. She reported that they had taken in an additional fifteen (15) children due to the hurricanes but that the program no longer had those children.

President Randolph next updated the Council on her recent participation in various events. She began by saying that at the end of February, she had attended a Re-Building Conference in St. Louis as a guest of the American Bar Association, where she said they had spoken of various issues concerning communities throughout the country. President Randolph then reported that she and Councilman Callais had attended the NACo Conference in Washington, D.C. in early March, where she said, they were able to revive a resolution for the OCS Revenues with the National Association

of Counties agreeing to help them with getting the OCS Revenues in the future. She said that they had also met with Park Service representatives while in Washington, D.C. President Randolph said that she had recently testified before the U.S. House Committee on Fisheries and Oceans, which she said had been held in New Orleans. She said that they had been able to talk about fishery issues currently ongoing in the area, including making a request that the TED Moratorium be continued until further notice. President Randolph said that the head of that committee had agreed to sign off as more than one (1) of eighty (80) people, on Congressman Jindal's issue to provide OCS Revenues to the Parish. She said that she had also served on a panel for the President's Forum on Coastal Activities and then elaborated on same. President Randolph then stated that she, along with Councilmen Gouaux, Callais and Lasseigne, had attended the Police Jury Convention in Alexandria, and said that they had meet with Mr. Henry Frye, the acting Fire Marshal, concerning building codes. She went on to say that they had also participated in resolutions with regards to emergency preparedness, coastal activities and OCS sharing there as well. President Randolph then informed the Council that she had been invited to Washington as a guest of an international panel called Resources For The Future, saying that it also involved coastal issues and further that she would be attending the same the week of April 3, 2006. She then said that she had also participated in the groundbreaking for the Morganza to the Gulf and the LA 1 groundbreaking, saying that was two (2) very important events for the Parish. President Randolph stated that there was a PACE meeting on Thursday, March 30, 2006 in Baton Rouge, and further that they had been meeting with the Parish Coastal Zone Management Committee in order to discuss how the coastal impact assistance funds, the approximate \$9 million to be received over the next four (4) years, could be extended out further by doing joint projects.

Mrs. Gretchen Caillouet then gave a Power Point presentation regarding enterprise zones, which included the following:

Enterprise Zone Program

-State offered program (Dept of Economic Development and Dept of Revenue)

Eligibility

- Business must create net new jobs at the project site.
- State has requirements to be met on net new jobs.

Benefits

- Tax Credits
- Sales/Use Tax Rebate
 1. Rebate paid on materials, furniture, fixtures, machinery and equipment purchased for infrastructure, used only on the project site, delivered during the project/construction period are eligible. Only covers the project/construction period.
 2. Sales/use tax dedicated to schools or bond indebtedness are not eligible for rebates.

Four (4) options for a local government body:

- Pass resolution endorsing company's project and does promise to rebate to the company all eligible local sales/use taxes. Applicant can apply for local and state sales tax rebates.
- Pass resolution endorsing company's project but does not promise to rebate any of the eligible local sales/use taxes. Applicant can only apply for state sales/use tax rebates.
- Pass resolution denying benefits for company's project. This denies the applicant local sales/use taxes.
- Abstain from any action. Applicant can only apply for state sales/use tax rebates.

One of the above four (4) options needs to be taken within ninety (90) days of the receipt of the notification from the LA Dept of Economic Development.

NOTE: St. Charles Parish does not participate in Enterprise Zone Program at local level –

became too costly for them to rebate the sales/use taxes.

Participation by local governing body can be limited:

-Not required to provide full rebate of sales/use tax not dedicated to a bond indebtedness. If providing less than full rebate, amount must be provided in resolution

(Example: solid waste at 7/10ths, could provide rebate of ½ cent or 50% of this sales/use tax instead of full sales/use tax as in the past.)

-Could choose to set local standards to participate in Enterprise Zone Programs. If business does not meet these standards, then they would only be eligible to receive rebates of state sales/use tax

(Example: Terrebonne Parish only participates at local level when project is for a large manufacturer/industry and has 200 jobs and only provides a rebate of .75%.)

3. *Need to include in resolution, like state law, that invoices are required to be submitted within six (6) months of the date of the signing of the state contract by the Governor.*

Impact on Lafourche Parish Government:

1. Since taking office in 2004, the first request for a rebate of local sales/use taxes has recently been received.

-Investment estimate for this project/construction was \$10,000,000

-Still in process of determining eligible items for rebate.

-Amount of rebate due is between \$70,000 and \$170,000 (depending on where sales tax was paid on each invoice for the project).

-Approximately \$70,000 would be rebated from the Solid Waste Fund

2. There are four (4) more Enterprise Zone contracts with the state that have local approval resolutions from 2001-2003.

-Investment estimates range between \$53,660 and \$7,010,467

-Amount of rebates range between \$67,049.72 and \$232,835.03

3. There are nine (9) Enterprise Zone Advance Notifications that have local approval resolutions from 2003-2005 and are still in project/construction period.

-Estimated investments are \$3,190,000.00 on these

-Sales tax rebates could be up to \$54,230.00

4. There are six (6) Enterprise Zone Advance Notifications that we have not located local approval resolutions from 2004 and still in project/construction period.

-Estimated investments are \$5,750,000.00 on these

-Sales tax rebates could be up to \$97,750.00 if there are local approval resolutions

5. Recently received Notifications from the State:

On January 24, 2006, Lafourche Parish Government received information for seven (7) Enterprise Zone Programs.

-These seven range between 5 new jobs created at a cost estimate of \$100,000 up to 40 new jobs created (Wal-Mart Mathews) at a cost estimate \$10,300,000.

-The council needs to take action on these new seven (7) Enterprise Zone Programs by April 24, 2006.

Options have been presented to you tonight for discussion:

1. Whether to participate or not locally?

2. If participating, whether to limit the amount/percentage of the rebate? or

3. If participating, whether to make standards for future participation)

We need to know the wishes of the council regarding action or lack thereof, by April 24, 2006.

Mr. Gouaux said that when this topic was discussed that he wanted everyone to realize that the Enterprise Zones brought in additional jobs, saying that a lost may be incurred on the rebate, but that gains would be gotten from sales taxes and other taxes paid by newly employed citizens. Mr. Toups said that things were tight at the present time and asked why these companies should be given a tax break? He voiced concerns about large companies coming in and forcing smaller businesses to close. He said that a little break may be able to be given. Mr. Toups said that the Council needed

the Administration to advise of their recommendation regarding the matter. President Randolph said that was why the topic was being presented at the current meeting, so that at the April 11, 2006 Council meeting a discussion on the matter could be had. Mr. Toups then inquired whether previous resolutions had been passed for some companies, to which he was advised yes. He then sought clarification that an enterprise zone could be moved and a brief discussion on the matter ensued.

Mr. Matherne advised the Council that he had attended the Library Board meeting of March 27, 2006 and then asked for an update on the progress of the Thibodaux Library site. Mr. Curole advised that word from Mr. Clause was being waited on as to whether he would accept the higher of the two (2) appraisals. He then stated that the two (2) appraisals at first glance appeared to be different, but that in looking at them and reading into them, it was noted that in the second one the building itself was not mentioned. He continued to elaborate on the matter. Mr. Curole stated that the appraisal was approximately \$90,000 less than what Mr. Clause had been asking for the property. He said that he would hopefully be meeting with Mr. Stentz the week of March 27, 2006. He then said that the City of Thibodaux was waiting on their second appraisal, saying the appraisal on the City property was \$139,000, of which he said the Mayor did not think was a very acceptable price. Mr. Curole stated that the Foundry piece of property would be what decided whether the site was doable or not, saying that either the City piece of property or the Carrot Patch piece of property would be enough additional property to use the site for a new library, adding that it did not have to be both pieces of property as one of them in addition to the Foundry piece of property would be sufficient. Dr. Lasseigne questioned whether the resolution passed regarding a purchase order had required all three (3) pieces of property to be put together into a package, to which Mr. Curole stated yes, and said that they would be coming back before the Council before anything was signed. Dr. Lasseigne then asked if two (2) appraisals were had if the higher appraisal could be gone with? Mr. Curole stated yes, saying that was room for negotiation. Dr. Lasseigne then asked why was there worry over what the building on the Foundry site was worth as the architect had said that the building had to be torn down? Mr. Curole said that from the owner's stand point, he cared because he considered the value of the building in what he was selling. Mr. Curole continued to speak on the matter.

Dr. Lasseigne then asked when the Council would be receiving a Finance Report as they had not received one in sometime? Ms. Shannon Chiasson, Finance Director, advised that she had been sending the reports electronically, to which Dr. Lasseigne stated that some interaction would nice.

Chairman Callais stated that even though the Engineering and Architect Report(s) section was not on the agenda, if any engineers or architects were present and wished to report, they could do so. No engineers or architects gave reports.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, to *open* a Two-Thirds Agenda, and *carried* by a vote of seven (7) yeas, one (1) nay, that being of Dr. Tommy Lasseigne and one (1) absent, that being of Mr. Lindel Toups.

TWO-THIRDS AGENDA

A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, to enter into Executive Session.

EXECUTIVE SESSION

The next item (1) on the Two-Thirds agenda was an Executive Session to discuss a demand on behalf of the Connie Bye family in which they were proposing a settlement out of court due to the death of Mrs. Bye in a car accident on November 16, 2005, Claim No. GP0630150762F001.

A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, to reconvene the meeting and take any necessary action regarding the above matter, and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the Two-Thirds agenda was a resolution approving the payment of the parish's self insured retention limit of \$50,000 as a portion of a larger settlement offer in coordination with St. Paul/Travelers Insurance to the Connie Bye Family in association with the death of Mrs. Bye in a car accident involving a parish vehicle. A **motion** was made by Mr. Michael Delatte, seconded by Mr. Michael Matherne and *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Tyrone Williams.

RES. NO. 06-085 APPROVE PAYMENT, PARISH SELF INSURED RETENTION

The next item (3) on the Two-Thirds agenda was a proposed ordinance approving the servitude agreements between land owners along the 20-Arpent Canal between East 44th Street and the Valerie Canal in the Cut Off area and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was made by Mr. Brent Callais to introduce the proposed ordinance.

PROPOSED ORDINANCE AGREEMENT, VARIOUS LANDOWNERS

The next item (4) on the Two-Thirds agenda was a resolution removing Russell Folsie from the Lafourche Parish Recreation District No. 2 Board; and requesting the Administration to advertise for the vacancy accordingly. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Atzenhoffer advised the Council that Mr. Folsie had missed fourteen (14) consecutive Board meetings, saying that he believed that there had been some meetings that a quorum had been difficult to obtain due to the absences. Dr. Lasseigne asked if the Board had recommended this action, to which Mr. Atzenhoffer stated yes as they had asked him to put the matter on the agenda. Mr. Toups inquired into the advertising time of the vacancy. Dr. Lasseigne voiced his reasons for abstaining from a vote on this matter. The motion *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) abstention, that being of Dr. Tommy Lasseigne.

RES. NO. 06-086 REMOVAL, LAFOURCHE RECREATION DISTRICT NO. 2 BOARD

The next item (5) on the Two-Thirds agenda was a resolution requesting a legal opinion from the Lafourche Parish District Attorney regarding guidance on the proper procedure to be used to clarify the appointment made to Fire Protection District No. 6 Board. A **motion** was made by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-087 DISTRICT ATTORNEY OPINION, APPOINTMENT TO BOARD

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Lindel Toups, and *carried* by a vote of nine (9) yeas and zero (0) nays, to *close* the Two-Thirds Agenda and *return* to the regular agenda.

LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. The legal advisor was not present.

ORDINANCE FOR DISCUSSION AND RATIFICATION

The next item (7) on the agenda was an ordinance creating Sub-Chapter “B” of Chapter 5 of the Code of Ordinances to establish the Lafourche Parish Building Code and Permit Schedule. A **motion** to *defer* until further notice was made by Mr. Mark Atzenhoffer and seconded by Dr. Tommy Lasseigne. Mr. Atzenhoffer explained that at the previous Council meeting there had been a lengthy discussion on this issue. He said that one of the issues was that Act 12 created a panel or commission that had not yet been appointed, saying that the panel or commission would have the ability to change the law. Mr. Atzenhoffer recommended that meetings on the issue still be had and after letting the proposed panel or commission meet, the Council could adopt whatever their final recommendation would be. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

ORDINANCE DEFERRED UNTIL FURTHER NOTICE

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne 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 (8) on the agenda was an ordinance to provide a Supplemental Appropriation for the Lafourche Parish 2006 Operation and Maintenance Budget and Capital Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter as it pertains to the Animal Shelter. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Dr. Lasseigne asked why supplies had more than doubled from the original amount they had been budgeted at, and also why Operating Services had also almost doubled? Mr. Curole explained that the decrease in the Capital Outlay Budget reflected the spending of \$16,000 more in 2005, saying that the amount available was decreased in 2006. He said that the Operations and Supplies line items had increased because supplies had not been bought as the building was not ready, saying that the money was being rolled over. Dr. Lasseigne then asked if the Animal Shelter would cost the Parish approximately \$300,000 a year to operate? Mr. Curole explained that what was being shown did not represent normal operational costs but expenses of getting it started and opened. He said that the Council should not anticipate that amount to be an annual cost for the shelter. President Randolph stated that the anticipated budget for the Animal Shelter was approximately \$150,000 for operations. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3770 SUPPLEMENT APPROPRIATION, ANIMAL SHELTER

The next item (9) on the agenda was an ordinance establishing a fee schedule and policy for reproduction of documents and time used to fulfill information requests. Chairman Callais asked once if anyone from the public wanted to speak on the proposed ordinance. Mr. Carl Chauvin requested that the Council defer this matter and ask for the District Attorney’s opinion on it. He said that there was a lot of law, cases and opinions regarding the Public Records Act. He then spoke of the unreasonableness of the prices of copies being suggested, giving various amounts being charged by other municipalities. He then stated what was present on the issue on the Legislative Auditor’s

website and explained same. Mr. Chauvin then pointed out the lack of the law regarding the overtime provision being suggested and the allowing of payment of overtime when documents were examined. He continued to voice reasons on why this issue should be deferred and the District Attorney's opinion should be requested. Mr. Chauvin then spoke on the editing and censoring of documents he had received via a public records request. Chairman Callais asked twice if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Dr. Lasseigne stated that he had pulled up information regarding when overtime could and could not be paid for inspection of public documents from the Division of Administration and Public Records law, and then read same. He then spoke of various prices charged by other entities and then stated that he thought it ridiculous to charge a citizen a \$1.00 per page for a public records request. Dr. Lasseigne stated that State guidelines dictated where the Parish should go with this issue and further that he thought that should be followed. Mr. Toups stated that earlier money was being given away with the enterprise zones but yet, the public was going to be charge a \$1.00 and \$2.00 a page for copies. He said that it was public record and that nothing should be charged. Mr. Toups suggested that this matter be deferred or voted down. President Randolph then explained the reason why the documents being spoken of by Mr. Chauvin looked they way they did. She then said that one (1) recent request for documents from February 2004 to the present involved over 8,000 files and then said that credit card information had to be covered in some way for security reasons. President Randolph told the Council that if overtime was a concern, that someone could be hired in the department, explaining that the request pertaining to the 8,000 would take approximately one (1) year to produce using a current employee to do it, saying that employee would only be working on providing the information for the one (1) request. She stated that she was a defender of the right to provide the public information when they wanted it, but said that when it was extraordinary or interfered with the general duties of an employee, then it needed to be looked at in a different way. Mr. Gouaux offered an **amendment** as follows: *SECTION 1. Reproduction Fee Schedule: The following fees shall be charged for any request exceeding one half hour of research time and or copying time to accomplish. No fees shall be charged for Parish forms, applications and any other publication developed for public information. Letter Sized Reproduction, One Dollar and 00/00 (\$1.00) per page, Legal Sized Reproduction, Two Dollars and 00/00 (\$2.00) per page, Hourly Rate for Employees Retrieving Records, Normal employees' rate shall be charged unless overtime is needed to accomplish the task, then the charge shall be at a rate of 1.5 times the rate of the employee(s) collecting and copying the requested information. The parish policy states that public information requests shall be honored in the most expeditious manner balancing the cost to the citizen with the schedule and knowledge of the parish employees. The effected Department Head shall determine how many and which employees will be used to gather and reproduce the information, whether overtime is necessary to accomplish the request, and whether security is necessary to ensure the safety of parish employees and the parish records. When overtime is necessary, this costs shall be borne by the citizen requesting the information plus the 1.5 multiplier.* Seconded by Mr. Mark Atzenhoffer. Mr. Gouaux then explained his amendment and the reason for same. Mr. Lorraine stated that with modern technology there should not be a problem if everything was in order. Mr. Atzenhoffer stated that he thought Mr. Gouaux's amendment made a lot of sense and that if anyone had a problem with a \$1.00 per page charge, that an amendment could be made. He went on to say that if the problem was that a councilman did not want to charge for whatever reason, that they should just say so. Mr. Atzenhoffer said that he did not see why the Parish should be paying out of the parish funds for a ream of paper and an employee's time for copying and not

have the person requesting it paying for it. He then inquired what would the Councilmen do if they requested something but that the person who would handle that request would be otherwise occupied by copying. Mr. Atzenhoffer spoke of hiring someone, but said that he was not in favor of that. He then pointed out that the person requesting the information was being given one-half (1/2) hour. Mr. Atzenhoffer then commented on the copying costs charged by the Clerk of Court. Dr. Lasseigne stated that it was the duty of parish employees to provide public information, saying that the citizens were already paying for this every time they paid their taxes and then elaborated on same. Mr. Curole stated that this was formalizing a policy that was not brand new, asking the Council Clerk to confirm that citizens were charged for copies in the Council Clerk's office. Mr. Toups inquired as to how much was charged, to which Mr. Curole stated he believed 50¢ and \$1.00. Mr. Toups stated that he did not believe that there would be an employee working overtime to make copies. President Randolph said that these requests were for original documents and that all the modern technology in the world could reproduce them but that it could not supply the original documents. She continued to explain why modern technology could not take care of this matter. Mr. Gouaux said that yes, they were public servants and that the Raceland and Thibodaux offices served the public, but stated that extra employees were not had for these requests. He said that maybe the staff amount should be upped and have employees just waiting around to make copies. Mr. Gouaux said that in order for the Parish to be efficient and have it maximize the monies it has, the Parish could not afford to have employees with a lot of idle time, waiting for public information requests to come in. He continued to speak on the matter and his proposed amendment. Dr. Lasseigne asked that the Administration provide the Council Clerk with a copy of the requests that involved the 8,000 files. He then asked the Council Clerk how much she thought her office had charged citizens for copies for the current year, to which the Council Clerk responded that a lot was not charged because some of the documents were being sent via e-mail. Dr. Lasseigne asked if the Council Clerk had collected any monies for copies in the current year? The Council Clerk responded but it was not audible. Per the request of Mr. Matherne, Chairman Callais re-read the amendment offered by Mr. Gouaux. The amendment **failed** by a vote of three (3) yeas and six (6) nays, that being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne, Mr. Lindel Toups, Mr. Tyrone Williams, Mr. Brent Callais and Mr. Michael Matherne. Mr. Lindel Toups made an **amendment** to change the charge for copies from \$1.00 and \$2.00 per page to twenty-five (25¢) cents per page copied and seconded by Dr. Tommy Lasseigne. Mr. Gouaux inquired if language from his amendment would be included, saying that the charge for every copy that left the offices, be it permits or any other information, would be 25¢. Mr. Toups stated that this was only for requests of public information and that he was not talking about permits. The amendment **carried** by a vote of eight (8) yeas, and one (1) nay, that being of Mr. Mark Atzenhoffer. Dr. Tommy Lasseigne made an **amendment** to delete *Hourly Rate for Employees Retrieving Records, Normal employees' rate shall be charged unless overtime is needed to accomplish the task, then the charge shall be at a rate of 1.5 times the rate of the employee(s) collecting and copying the requested information* and add plus the 1.5 multiplier to the end of the sentence which read as follows: "When overtime is necessary, this costs shall be born by the citizen requesting the information", seconded by Mr. Lindel Toups and **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer. Mr. Matherne asked the Administration on an average, how many public information requests were had. President Randolph and Mr. Curole stated that within the last six (6) months it was usually every Friday afternoon. Mr. Matherne asked how long the average public request was, to which President Randolph stated that the last request done incurred a charge of a \$100 fee. The ordinance as amended **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

ORD. NO. 3771 FEE SCHEDULE AND POLICY, INFORMATION REQUESTS

The next item (10) on the agenda was an ordinance authorizing the purchase of property located at Paula Drive, Thibodaux, Louisiana, in order to build a recreation park; authorizing the expenditure of \$12,000.00; authorizing the Parish President to sign any and all necessary sale documents; and providing publication in the official journal. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Tyrone Williams, seconded by Dr. Tommy Lasseigne and **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3772 PURCHASE PROPERTY LOCATED AT PAULA DRIVE

The next item (11) on the agenda was an ordinance approving a servitude agreement between the U. S. Corps of Engineers and the Lafourche Parish Council to construct, use, maintain, control, operate and repair a drainage and levee servitude to cross the Corps Right-of-Way located in the Larose area, District 7; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Lindel Toups and **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3773 SERVITUDE AGREEMENT, U.S. CORPS OF ENGINEERS

The next item (12) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Resubdivision of A Portion of Acadia Plantation into Tracts 1 and 2 of Acadia Plantation”, Ward 2, District 4. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Dr. Tommy Lasseigne.

ORD. NO. 3774 ACCEPT RESUBDIVISION OF A PORTION OF ACADIA PLANTATION

The next item (13) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Blue Ridge Pointe Subdivision Phase “B” and Phase “C””, Ward 11, District 4. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Dr. Tommy Lasseigne .

ORD. NO. 3775 ACCEPT BLUE RIDGE POINTE SUBDIVISION PHASE B & C

The next item (14) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Tract A of Property Belonging to Jessie Pertuit, Sr. Or Assigns”, Ward 3, District 6. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux and **carried** by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Dr. Tommy Lasseigne.

ORD. NO. 3776 ACCEPT TRACT A ,PROPERTY, JESSIE PERTUIT, SR.

The next item (15) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Redivision of Property Belonging to Jimmy Cantrelle, II into Tracts A, B and C”, Ward 4, District 6. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux and **carried** by a vote of

eight (8) yeas, zero (0) nays, and one (1) absent, that being to Dr. Tommy Lasseigne.

ORD. NO. 3777 ACCEPT REDIVISION OF PROPERTY, JIMMY CANTRELLE, II

The next item (16) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Green Acres Subdivision, Phase II-B”, Ward 4, District 6. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3778 ACCEPT GREEN ACRES SUBDIVISION, PHASE II-B

The next item (17) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Gordon P. Martinez, Sr., Subdivision”, Ward 6, District 2. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Michael Matherne and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3779 ACCEPT GORDON P. MARTINEZ, SR. SUBDIVISION

The next item (18) on the agenda was an ordinance accepting into the parish system the subdivision known as the “David Gaspard Subdivision”, Ward 10, District 9. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Brent Callais and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3780 ACCEPT DAVID GASPARD SUBDIVISION

The next item (19) on the agenda was an ordinance forming a Committee to re-write the formula used in determining the distribution of funds to Lafourche Parish Recreation Districts; and providing for the date of final recommendation. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. Dr. Lasseigne stated that he thought Mr. Brennan Matherne, Director of Parks, Recreation and Public Facilities, had recently recommended that the formula remain as it was. Mr. Atzenhoffer informed Dr. Lasseigne that at the time of the budget he had wanted the formula changed and had wanted the committee formed, but that it had been agreed that it would be left alone for the budget process but that the issue would be addressed before the next budget. Dr. Lasseigne asked if that was what Mr. Brennan Matherne wanted, to which Mr. Atzenhoffer responded yes and that Mr. Matherne was on the committee. Dr. Lasseigne then asked why there were no councilmen on the committee? Mr. Atzenhoffer said that the committee would have to make a recommendation to the Council and that it would be done in ordinance form. He said that it was his belief that the people that had been serving on the recreation boards had been thinking about the issue for some time and knew what needed to be done, and that it could probably be done within two (2) or three (3) meetings, adding that if they did not, that the Council would make a decision on it. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3781 FORM COMMITTEE, RE-WRITE FORMULA

The next item (20) on the agenda was an ordinance amending Ordinance No. 3753 ordering and calling a special election to be held in the Parish of Lafourche, State of Louisiana, on September 30, 2006, to authorize the incurring of debt and issuance of \$15,880,000.00 of 20 year General Obligation Bonds for a) acquiring, constructing and improving levees, drainage works, and related levee and drainage facilities, and b) acquiring, constructing and improving facilities, works and equipment to mitigate coastal erosion, TO ADD *and c) constructing and improving streets, roads*

and bridges, including street overlay, said bonds to be general obligations of the Parish and to be payable from ad valorem taxes; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. Chairman Callais asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Callais moved for a motion. A **motion** was offered by Mr. Michael Delatte and seconded by Dr. Tommy Lasseigne. Mr. Toups asked if this ordinance had recently been passed and then asked if two (2) roads in Lafourche Parish were being added? Mr. Delatte stated that he was not aware of how many roads were included as there were no specific roads mentioned in the ordinance. President Randolph stated that two (2) roads were being looked at, those being Laurel Valley Road and Thibodaux Extension Road. Mr. Toups asked how much it would take to blacktop those two (2) roads, answering his own question by saying probably 6 to 7 million dollars. He said that the \$15 million should be used for drainage and then said that there was a road tax. Mr. Toups said that this matter had been voted on before and that if the two (2) roads were added at the present time, that he would go out into the public and try to defeat the tax. He continued to voice his reasons for not wanting the money used for roads. Mr. Gouaux said that he had nothing against the two (2) roads and that he felt that they needed work done, but that there were so many pump stations in the Parish that were in deplorable shape. He said that he could not agree with bringing this bond issue to the people and not having the money used for drainage first. Mr. Gouaux then spoke of the brief history of why roads had been done first and why drainage had been put on hold. He said that drainage had to be given to the people of the Parish first, with roads being second. Mr. Delatte said that he respected Mr. Toups' and Mr. Gouaux's opinions, and then pointed out that drainage taxes were already had in Lafourche Parish but that obviously it was not enough to do all of the work that needed to be done. He said that there were also several road tax districts in the Parish, and that there was not enough money there either to get all the roads done. Mr. Delatte then spoke in detail of the reasons that Laurel Valley Road needed to be done, including it being a life-saving road for medical emergencies and the fact that it connects to various highways of which he described in detail. He then pointed out that Laurel Valley Plantation entertained thousands of tourists in a year, as well as the Kraemer area but that Spur 70 or Highway 90 needed to be used to get to those areas. Mr. Delatte said that there was already a road available, it just needed to be repaired, saying that the road was not new, but that it had been in the Parish system since the 1890's. He said that it was long overdue to blacktop the road. Mr. Delatte said that what was being asked for was to give the people of the Parish a chance to vote on the matter. He said that he did not need to be told about drainage problems, adding that he probably had more water and more wetlands than all the Council put together. Mr. Delatte said that a lot of road problems were had too. He said that this was a general obligation bond and that it could be used for more than one (1) thing. Mr. Delatte then stated that he would think that it would take a lot more tax money to fix drainage even with what was being proposed. He continued to explain why he would ask the Council's support of this matter. Mr. Delatte then spoke of a recent medical emergency wherein an ambulance was gotten from Vacherie, Louisiana quicker than from Thibodaux, Louisiana. Dr. Lasseigne said that all this would do would be to give a chance of possibly having a road done, pointing out that it did not specify a particular road and that if approved, it would have to come back before the Council to have the specific road done. He continued to point out that any road considered would need a proposal from the Administration and approval from the Council. Mr. Toups said that he would like to see the roads done but asked how much drainage could be done with \$15 million dollars. He then spoke of how the people were being taxed for this matter. After continuing to voice his reasons for saying that roads should not be included in this matter, Mr. Toups asked if anyone could tell him how much it

would costs to do the two (2) roads being spoken of. Dr. Lasseigne said that the Laurel Valley Road would be approximately \$2 million dollars to do, explaining the reasons for the amount. He then pointed out that brand new bridges had been put by the State. Mr. Gouaux said that he would support Mr. Delatte on the road but not through this tax, as there were too many problems with drainage. He then spoke of streets in his district that had been overlaid less than five (5) years ago and that were already in need of attention, pointing out that he thought twenty (20) yeas was too long for roads. Mr. Toups said that he had a pump in his area that he had sought money for and that he had received \$60,000 but that it would costs \$300,000 to repair it. He asked that the Council vote the matter down. Mr. Delatte requested that an electronic vote or roll call vote be taken. Mr. Toups asked for clarification that the only thing being voted for or against was to add the roads, and that the election and millage would still be going on. A roll call was taken and the motion *carried* by a vote of seven (7) yeas, that being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne, Mr. Tyrone Williams, Mr. Mark Atzenhoffer, Mr. Michael Matherne, Mr. Michael Delatte, and Mr. Brent Callais and two (2) nays, that being of Mr. Phillip Gouaux and Mr. Lindel Toups.

ORD. NO. 3782 SPECIAL ELECTION, 20 YEAR GENERAL OBLIGATION BONDS

Mr. Toups informed the Council that at the next meeting of the Council he wanted to amend the ordinance to add the Farm to Market Road in Gheens.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, 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 (21) on the agenda was a proposed ordinance amending and re-enacting Section 24:700 of Sub-Chapter “O” of Chapter 24 of the Code of Ordinances as it pertains to Lafourche Parish Water District No. 1. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMEND CODE, WATER DISTRICT NO. 1

The next item (22) on the agenda was a proposed ordinance adding Section 25:101 of Sub-Chapter B of Chapter 25 of the Code of Ordinances as it pertains to creating a permit process and parish policy for the installation of culverts, catch basins and/or bridges on private property in public right-of-ways. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE CULVERTS INSTALLED ON PRIVATE PROPERTY

The next item (23) on the agenda was a proposed ordinance deleting Sections 24:250-257 of Sub-Chapter “F”, Section 24:350 of Sub-Chapter “H”, and Section 24:1050 of Sub-Chapter “U” of Chapter 24 of the Code of Ordinances to abolish all Garbage Districts, Industrial District No. 1, and the Lafourche Parish Commission for Women Boards. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ABOLISH GARBAGE & INDUSTRIAL DISTRICTS & COMMISSION FOR WOMEN BOARD

The next item (24) on the agenda was a proposed ordinance providing for a supplemental appropriation for the Lafourche Parish 2006 Operation and Maintenance Budget and Capital Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter, to establish Fund 299, Capital Projects. A **motion** was offered by Mr. Michael Matherne to introduce the above stated

proposed ordinance.

PROPOSED ORDINANCE SUPP. APPROPRIATION, CAPITAL PROJECTS

The next item (25) on the agenda was a proposed ordinance providing for a supplemental appropriation for the Lafourche Parish 2006 Operation and Maintenance Budget and Capital Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter, to increase/decrease Capital Outlay, and make adjustments to various funds . A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SUPP. APPROPRIATION, CAPITAL OUTLAY

The next item (26) on the agenda was a proposed 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. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ACCEPT MAPS ISSUED BY FEMA

The next item (27) on the agenda was a proposed ordinance accepting the subdivision into the parish system known as “Highland Lakes Subdivision, Addendum No. 2”, Ward 5, District 3. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ACCEPT HIGHLAND LAKES SUBDIVISION

The next item (28) on the agenda was a proposed ordinance accepting the subdivision into the parish system known as “Resubdivision of Lot 2-A, Tract 4, Lot “A” and an undeveloped portion of White Rose Plantation into Lot 1”, Ward 4, District 6. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE RESUBDIVISION LOT 2-A, TRACT 4, LOT A

The next item (29) on the agenda was a proposed ordinance amending Ordinance No. 3751 as it pertains to the Emergency Pay Policy to reflect the suggested changes from the Lafourche Parish District Attorney. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMEND EMERGENCY PAY POLICY

RESOLUTIONS

The next item (30) on the agenda was a resolution appointing Alexandra Morris as the Council District No. 6 Representative on the Lafourche Parish Youth Council. A **motion** was made by Mr. Lindel Toups, 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. 06-088 APPOINTMENT TO LAFOURCHE PARISH YOUTH COUNCIL

The next item (31) on the agenda was a resolution appointing Cindy Landeche as the Thibodaux Chamber of Commerce’s representative to the Lafourche Parish Tourist Commission. A **motion** was made by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-089 APPOINTMENT LAFOURCHE PARISH TOURIST COMMISSION

The next item (32) on the agenda was a resolution reappointing Warren Vedros to the Lafourche Parish Communications District Board to serve a four (4) year term. A **motion** was made by Mr. Phillip Gouaux, seconded by Mr. Lindel Toups and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-090 REAPPOINTMENT, COMMUNICATIONS DISTRICT BOARD

The next item (33) on the agenda was a resolution amending Resolution No. 06-056 in order

to fill three (3) vacancies on the Lafourche Parish Fire Protection District No. 1 Board. A **motion** was made by Dr. Tommy Lasseigne, seconded by Mr. Michael Delatte and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-091 AMEND RES. NO. 06-056, FIRE PROTECTION DIST. NO. 1 BOARD

The next item (34) on the agenda was a resolution calling three (3) public hearings throughout the parish in order to hear public comments regarding the proposed building codes and permit schedule. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. President Randolph stated that a meeting had been held the week of March 20, 2006 and inquired as to whether more meetings were wanted? Mr. Atzenhoffer stated yes as he had received numerous calls. He said that arrangements had been made to have meetings held at the Cut Off Youth Center, the Council Chambers and the Thibodaux City Council. President Randolph advised that they had not contacted the Fire Marshall and asked if Mr. Atzenhoffer wanted him in attendance at the meetings? Mr. Atzenhoffer said that was the plan after the current resolution was passed. Mr. Gouaux said that the Baton Rouge delegation needed to be present at the meetings. He then said that there had been an extremely good turn out for the previous meeting on the matter held at the Sondra Barrios Center (Council Chambers), but questioned if another meeting was needed in the central part of the Parish. A brief discussion ensued. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-092 PUBLIC HEARINGS, BUILDING CODES & PERMIT SCHEDULE

A brief discussion ensued after Mr. Gouaux inquired as to the dates of the meetings and who was to be present. Mr. Gouaux then asked if Act 12 was on the website, to which President Randolph stated that Act 12 could be put there quickly. President Randolph informed Mr. Atzenhoffer that the Fire Marshall's office was attempting to simplify what would be required, but said that had not been received yet but that it could be added to the website as well as soon as it was received.

The next item (35) on the agenda was a resolution supporting the application of Talbot Gardens, Limited Partnership in its endeavor to build the proposed complex off of Talbot Avenue near Louisiana Highway 3185 in Thibodaux. A **motion** was made by Mr. Tyrone Williams and seconded by Mr. Lindel Toups. Mr. Tyrone Williams offered an **amendment** to change the name of the proposed complex to West Gardens, seconded by Mr. Lindel Toups and **carried** by a vote of nine (9) yeas and zero (0) nays. Mr. Matherne inquired as to where this proposed complex would be. Mr. Phil Ellen explained the make up of the subdivision and gave detailed information as to where it was to be located. A brief discussion ensued. The resolution as amended **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-093 SUPPORT TALBOT GARDENS, PROPOSED COMPLEX

The next item (36) on the agenda was a resolution approving a transfer of appropriate within Recreation (Fund 110) from the Capital Outlay line item of the 2006 Capital Budget to the miscellaneous/grants line item in the Operation and Maintenance portion of the 2006 Budget. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. Dr. Lasseigne inquired as to whether this item should be an ordinance? Mr. Atzenhoffer explained that this was just a transfer within the same budget. Mr. Toups asked where the money was being put? Dr. Lasseigne asked if this was within the same fund, to which Mr. Atzenhoffer responded yes and advised that supporting information was given to the Councilmen before the meeting. He then explained that this was for the purchase of property by Lafourche Recreation District #2 for new ball

fields. Dr. Lasseigne asked what the \$23,000 was going to be used for before, to which Mr. Atzenhoffer stated nothing, that it was just sitting in the fund. Mr. Williams inquired as to whether the \$23,000 was gotten from a grant or from recreation funds? Mr. Atzenhoffer stated that the money was being moved within Fund 110, saying that money was had in the Capital Outlay Fund for pavilions and such for Raceland and that with the blessing of the Lafourche Recreation District No. 2 Board, they were trading their pavilions at \$25, 000 for property costing \$23,000. Mr. Curole explained that the money was coming from the Trails and Pavilions line item and that the money was being put into grants so that the District itself could own the property. He said that as the Parish, they did not want to buy the property, but that the money was being given so that the District could buy the property. Mr. Curole explained that the money was being taken from a Capital Outlay line item and put into grants, putting the money into the hands of the Recreation District. He continued to speak on the matter. Dr. Lasseigne asked if the money was in Capital Outlay and was for a Capital Outlay project, if the Capital Outlay project should be cancelled as per the Home Rule Charter and further that reasons for the cancellation must be given. He asked how the money could be moved if the project had not been cancelled? Mr. Curole said that this was a transfer of appropriation and further that the project line item was not being cancelled, but that the dollar amount was being reduced. He said that the Trails and Pavilion line item was going to be parceled into a variety of pieces, this matter being one of them. Mr. Gouaux said that what Mr. Curole was saying was that the Parish was giving money to the Recreation District to buy property that would not belong to the Parish, to which Mr. Curole said that was correct in that the property would belong to the Recreation District. Mr. Gouaux said that he had a problem with the Parish seeming to not want its own recreation properties. A detailed discussion ensued. Mr. Atzenhoffer stated that Lafourche Recreation District No. 2 was created within the Parish government and that the Parish would still own the property, saying that if Lafourche Recreation District No.2 was eliminated and the property was accepted into the Parish system, the Council would still have residual ownership of the property. President Randolph stated that it would be public property. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06- 094 TRANSFER, CAPITAL OUTLAY TO OPERATION & MAINTENANCE BUDGET

The next item (37) on the agenda was a resolution requesting the Lafourche Parish District Attorney to provide the Lafourche Parish Administration with guidance on how to address Attorney General Opinion No. 05-0153 regarding work performed on private property. A **motion** was made by Dr. Tommy Lasseigne and seconded by Mr. Daniel Lorraine. Mr. Gouaux asked if Dr. Lasseigne had spoken to the District Attorney about this matter and whether enough information was being given? Dr. Lasseigne said that the District Attorney was sort of confused about the opinion, just as the Council was, and that this would allow him to start to get information to clarify it. Mr. Gouaux asked if the District Attorney would accept “what-ifs” at the present time, to which Dr. Lasseigne responded that he thought that the District Attorney would come back to the Council and that then the Council would have the “what-ifs”. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being Mr. Mark Atzenhoffer.

RES. NO. 06-095 D.A. GUIDANCE, WORK PERFORMED ON PRIVATE PROPERTY

The next item (38) on the agenda was a resolution requesting the Lafourche Parish District Attorney to render an opinion to determine what procedure should be used in order to combine hospital districts in Lafourche Parish. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Toups asked if this could still be done since Ochsner was taking over

St. Anne Hospital. Mr. Lorraine stated that Resolution No. 05-170 had been passed on June 28, 2005 with regards to consolidation of the hospitals, to which he said that an amendment had been made to consolidate all boards. He said that a response was to have been had within in two (2) months and that it was now ten (10) months later and nothing had been heard. Mr. Lorraine said that now St. Anne Hospital would be Ochsner, and asked why this was being done again, since it had been done once and a response was still not had on it. The motion *carried* by a vote of five (5) yeas and four (4) nays, that being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne, Mr. Phillip Gouaux and Mr. Lindel Toups.

RES. NO. 06-096 D.A. OPINION, COMBINE HOSPITAL DISTRICTS

The next item (39) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to overlay Louisiana Highway 182 from Louisiana Highway 1 to Highway 90. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-097 DOTD OVERLAY LA. HWY. 182

The next item (40) on the agenda was a resolution approving a Cooperative Endeavor Agreement between the State of Louisiana and Lafourche Parish Government for the Multi-Purpose Agricultural Center/Facility; and authorizing the Parish President to sign, execute and administer said agreement. 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. 06-098 CO-OP AGREEMENT, AGRICULTURAL CENTER/FACILITY

The next item (41) on the agenda was a resolution in support of the series of projects of North Lafourche Conservation, Levee and Drainage District included in the first phase of a long-term recovery plan for Lafourche Parish. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-099 SUPPORT RECOVERY PLAN PROJECTS

The next item (42) on the agenda was a resolution in support of the first phase of a long-term recovery plan, including the five (5) sectors and their projects, for Lafourche Parish. A **motion** was made by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-100 SUPPORT LONG TERM RECOVERY PLAN

The next item (43) on the agenda was a resolution approving an Intergovernmental Agreement between the Lafourche Parish Governing Authority, the Terrebonne Parish Consolidated Government and the North Lafourche Conservation and Levee District to clean and clear the portion of the St. Louis Canal between Audubon Street and the Southern Pacific Railroad Bridge which serves to drain north-western Lafourche including the City of Thibodaux. A **motion** was made by Dr. Tommy Lasseigne, seconded by Mr. Michael Delatte and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-101 INTERGOVERNMENTAL AGREEMENT, ST. LOUIS CANAL

The next item (44) on the agenda was a resolution approving a contract with the Louisiana Department of Labor entitled, Workforce Investment Act-National Emergency Grant LWIA #31; and authorizing the Parish President to sign, execute and administer said contract and future amendments for implementation by the Workforce Investment Board, Inc. A **motion** was made by Mr. Tyrone Williams, seconded by Mr. Lindel Toups and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 06-102 APPROVE CONTRACT, LA. DEPT. OF LABOR

The next item (45) on the agenda was a resolution rescinding Resolution No. 06-046 and

amending Resolution No. 99-091 stating that one (1) of the following people are authorized to sign all checks issued by the Lafourche Parish Clerk of Court Office from the Juror and Witness Fee Account located at Capital One Bank: Vernon H. Rodrigue, Vernell J. Autin, Angela H. Clement, Darleen A. Oubre, or Tara A. Cheramie. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. Dr. Lasseigne commented on the information received on the matter which stated that the Clerk's office would continue to allow a single signature on the account. He said that requiring two (2) signatures was a good control mechanism, and then asked why this matter was such an issue for the Clerk of Court's Office? Dr. Lasseigne said that there should be two (2) signatures on the account and further that the Clerk's office had already been told to do so. Mr. Curole stated that he agreed that two (2) signatures were good, but said that the Clerk's office was refusing to do so if the Council mandated two (2) signatures. Dr. Lasseigne clarified that the Clerk of Court's office was refusing to follow a law, saying that if the Council made a law, that they would refuse to follow it. Mr. Curole said that basically the Clerk's Office would hand back the checkbook back to the Parish. The motion **failed** by a vote of two (2) yeas, Mr. Michael Matherne and Mr. Mark Atzenhoffer, six (6) nays, that being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne, Mr. Lindel Toups, Mr. Tyrone Williams, Mr. Phillip Gouaux and Mr. Brent Callais, and one (1) absent, that being of Mr. Michael Delatte.

RESOLUTION FAILED

DISCUSSIONS

The next item (46) on the agenda was a discussion concerning a status report from the Administration regarding the Marydale water lines. Ms. Heather Klingman of Duplantis Design Group explained the original date to receive bids was to be Wednesday, March 29, 2006 but that on Friday, March 24, 2006 they started receiving phone calls from contractors. She said that they had three (3) contractors that had plans out and who normally bid on this type of project advise them that they would not be bidding on the project. Ms. Klingman stated that basically contractors were busy at the present time and were not hurting for work. She said that two (2) of the three (3) contractors had advised her that if the bidding was pushed back a couple of weeks, that they would bid on the project. Ms. Klingman then stated that another contractor who had not picked up a bid packet had also said that if the bidding was pushed back that he would bid on it. She explained that was why they had recommended that the bid date be pushed back. Ms. Klingman stated that she thought also that there had been some issue that had come up with regards to some potential for additional funding that the Parish was looking into. Mr. Williams asked if there was any kind of signage that could be erected that would show that the project was being worked on? He then explained his reasons for requesting the same. Ms. Klingman said that they could probably have someone put something up, or that possibly an explanation could be put in the newspaper. Dr. Lasseigne inquired as to what would happen if someone showed up for the bid date of March 29, 2006, to which Ms. Klingman stated that an addendum had been issued and that the new date was April 26, 2006. Mr. Lorraine stated that the work would only pick up and that it would only get a lot worse. Ms. Klingman stated that she could only go by what the contractors were telling her, and that they were telling her that they would definitely bid if the bidding was pushed back. Dr. Lasseigne asked who had picked up bid packets? Ms. Klingman answered by stating Sealevel Construction, BETCO and Phylway.

The next item (47) on the agenda was a discussion concerning a status report from the Administration regarding Abby Park. Mr. Brennan Matherne stated that the Council had passed at the present meeting an ordinance approving the sale of the property. He thanked the Council and said that he was excited because that meant that once all the paperwork was taken care of, that

construction of the first recreation park for the Walking Trails and Pavilions funds that had been had for the last few years could be started. Mr. Matherne stated that it was only a matter of completing the paperwork, saying that he was aware that the title work was being done at the present time. He said that once the title work was done and the sale was cleared, they would contract out the construction of the picnic area with picnic tables, shade structures, as well as the fenced basketball court.

The next item (48) on the agenda was a discussion concerning a status report from the Administration regarding the restroom facilities at the Martin Luther King Park. Mr. Brennan Matherne informed Mr. Williams that they had contacted the City of Thibodaux on the matter and that apparently they had already done the ground work needed with regards to design and price estimates. He said that the information had been requested, but that approval from the Mayor was wanted before they would send it to the Parish. Mr. Williams asked if the estimates were over \$20,000 to which Mr. Matherne stated that he did not have that information yet and that they were not willing to give it until the Mayor approved it.

The next item (49) on the agenda was a discussion concerning Zizard Street. Mr. Toups stated that this road had not been patched in a long time. He then asked Mr. Ray Cheramie if there was some question as to whether the street was in the system, and then asked that Mr. Cheramie check into it. Mr. Toups said that he did have paperwork from Mr. John Barker and could give it after the meeting. Mr. Curole said that it was in the parish system but clarified that the name of the street was Vizard. A brief discussion ensued.

The next item (50) on the agenda was a discussion concerning one time right-of-ways. This item was pulled.

ADJOURNMENT

On **motion** by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and with no further business, the Lafourche Parish Council Meeting of March 28, 2006 **adjourned** at 8:25 p.m.

BRENT CALLAIS, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL