

**MAY 11, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH LAFOURCHE**

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, MAY 11, 2004, AT 7:00 P.M., IN THE COUNCIL ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612, HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Parish Council was duly convened as the governing authority of said Parish by Mr. Lindel Toups, Chairman, who then stated that the Parish Council was ready for the transaction of business at 7:00 P.M.

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

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

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

ABSENT: None

Chairman Toups announced that elected officials District Attorney Camille A. Morvant, II, and Mr. Lawrence Monic were present. Also present was the Parish President.

CHAIRMAN’S REPORT:

The first item (1) on the agenda was a presentation of Certificates to the 12-Year-Old Bidy Basketball Team for winning the Class “A” World International Bidy Basketball Championship on March 31, 2004 in New Orleans, Louisiana. Chairman Toups presented certificates to the team members, all of whom are from Raceland, and then announced the coaches. Mr. Michael Triggs, Head Coach, thanked the parents and kids, recognized the coaches, then asked the Council to support the Recreation Departments. He announced that the Raceland Bidy Basketball Team won two world titles in ten years.

The next item (2) on the agenda was a presentation of Certificates to the Lafourche Parish Elementary, Middle, and High School Student’s of the Year. Chairman Toups presented certificates to the Students’ of the Year.

A motion was offered by Mr. Mike Delatte, seconded by Mr. Phillip Gouaux, and *carried* to **deviate** from the agenda by a vote of nine (9) yeas and zero (0) nays.

Next, a motion was offered Mr. Phillip Gouaux, seconded by Mr. Tyrone Williams, and *carried* to **go into Executive Session** to discuss **item (10) and items (1) and (2) on the 2/3 Agenda**, as listed below, by a vote of nine (9) yeas and zero (0) nays.

Item (10) was a motion to enter into Executive Session to discuss pending litigation regarding Del-Mar Farm, Inc. Vs. No. 84876 Lafourche Parish Council consolidated with Lafourche Parish Council Vs. No. 84098 Elson M. Delaune, et al.

Item (1) on the 2/3 Agenda was a motion to enter into Executive Session to discuss pending litigation regarding lawsuit #97300, David Heck vs Lafourche Parish Council.

Item (2) on the 2/3 Agenda was a motion to enter into Executive Session to discuss negotiations regarding JBC/AIA and the Lafourche Parish Library contract.

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

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and *carried* authorizing the District Attorney to continue negotiations with Mr. Jay Caillouet and report to the Council within the next 60 days by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, and *carried* to defer the signing of a contract issued to Cheramie/Whitney Architects regarding the design of the South Lafourche Library project by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Mike Delatte, and *carried* to **defer item (10)**, since the lawyer was not present, by a vote of nine (9) yeas and zero (0) nays.

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

APPROVAL OF MINUTES

The next item (3) on the agenda was the approval of the minutes of the April 14, 2004, Lafourche Parish Council Regular Meeting. A motion was offered by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer to accept the April 14, 2004 Regular Meeting minutes. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

The next item (4) on the agenda was the approval of the minutes of the May 3, 2004, Lafourche Parish Council Special Meeting. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Mike Delatte to accept the May 3, 2004 Special Meeting minutes. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

APPROVAL OF MINUTES AND RECOMMENDATIONS OF COMMITTEE AND SUBCOMMITTEE MEETINGS:

The next item (5) on the agenda was to approve the minutes and recommendations of the April 27, 2004 Public Works and Solid Waste Committee meeting. A motion was offered by Mr. Mark Atzenhoffer, Chairman of the Public Works and Solid Waste Committee, and seconded by Mr. Tyrone Williams to accept the minutes and recommendations of the Public Works and Solid Waste Committee meeting. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the April 27, 2004 Public Works and Solid Waste Committee Meeting are as follows:

**APRIL 27, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL PUBLIC WORKS AND SOLID WASTE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, APRIL 27, 2004, AT 6:00 P.M. IN THE COUNCIL ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mark Atzenhoffer, Chairman, stated that the Public Works and Solid Waste Committee was ready for the transaction of business at 6:02 P.M.. Proceedings of the meeting were called to order with the following:

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

ABSENT: None

Council Member Mike Delatte led the Council and members of the audience in an opening prayer. The Council then recited the Pledge of Allegiance led by Council Member Michael Matherne.

A motion was offered by Mr. Lindel Toups, seconded by Mr. Mike Delatte, and *carried* to deviate from the agenda and **move to a 2/3 agenda** by a vote of nine (9) yeas and zero (0) nays.

2/3 AGENDA

The first (1) item on the 2/3 Agenda was a motion to enter into Executive Session to discuss pending litigation regarding lawsuit #97300, David Heck vs Lafourche Parish Council. A motion was offered by Mr. Lindel Toups, seconded by Mr. Tommy Lasseigne, and *carried* to move to Executive Session by a vote of nine (9) yeas and zero (0) nays.

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

A motion was offered by Mr. Michael Matherne, seconded by Mr. Tommy Lasseigne, and *carried* to allow the Administration to continue with negotiations to resolve lawsuit #97300, David Heck vs Lafourche Parish Council, and report back to the Public Works and Solid Waste Committee on May 25, 2004.

PUBLIC TO ADDRESS THE COMMITTEE

Chairman Atzenhoffer asked if anyone from the public wished to address the Committee. Mr. Daniel Toups expressed his concern regarding item (7) Crepe Myrtle Place, specifically the quality of the community and value of property if this development, which would include trailers, were to develop in the area. He mentioned that a petition was signed by 75 people requesting the Council to reject plans for the development for Crepe Myrtle Place.

Next, Mr. Preston Roddy addressed President Randolph and the Committee regarding the flooding problem in West Thibodaux and asked that the parish address this problem.

PUBLIC WORKS DIRECTOR'S REPORT

The next item on the agenda was the Public Works Director's report. First, Mr. Ray Cheramie addressed Mr. Preston Roddy's situation regarding the flooding in West Thibodaux, saying that a project is scheduled to begin in the near future and by the end of the year, there will be a difference in the water flow. Mr. Gary Washington, Region A Barn Superintendent, stated that they are working on increasing the water flow's volume and speed and getting the water moving toward the pump station. Mr. Chauvin then mentioned that the culverts in the area are too small and this issue is being researched. Mr. Joe Picciola stated that last year, the parish had applied for a FEMA Hazard Mitigation Grant in the West Thibodaux area and was awarded a \$650,000 grant. He elaborated more on the project. Mr. Picciola announced the schedule of the project: 4-6 weeks away to having a final design package, go out for bids--30 days, and maybe 30 days to sign contracts. He then discussed the Nolan Toups Project, stating that bids are being advertised, public bids will be taken on May 13, 2004, and the project will probably begin 4 weeks after that. More discussion ensued regarding the West Thibodaux project, particularly the specific area and the improvements to be made. Mr. Picciola stated that FEMA is auditing the Louisiana Office of Emergency Preparedness for Hazard Mitigation Grant Projects and said that his office was not informed that they were awarded the money for the Twin Oaks Drainage Project. He said that once the audit is completed, the projects would continue to be awarded, such as the Clovelly Bridge project and a project for the Port in Lafourche. President Randolph then acknowledged Mr. Gary Washington and his staff for quickly responding and taking any necessary action regarding the rainstorm on Sunday night. Mr. Cheramie continued with his report, addressing the following issues: installation of pumps in Matthews at Fantastic, additional pumping capacity in Edgar Guidry, the moving back of an eroding levee in Gheens at no cost to the parish, the purchase of a 15' bush-hog by the North Lafourche Levee District, and the government agencies working within the parish regarding drainage wanting to work with the parish in any way possible.

PRESENTATIONS

The first item (1) on the agenda was a presentation from Ms. Lori LeBlanc with Restore or Retreat regarding an update on coastal issues. Ms. LeBlanc, the Executive Director, provided the Committee with handouts of her presentation. She began by giving a brief background on Restore or Retreat (ROR), then proceeded with her presentation by giving the organization's mission statement: *Realizing that the Barataria and Terrebonne basins are the two most rapidly eroding estuaries on the earth, and understanding that an economic and ecological travesty is occurring, the members of ROR seek to identify, expedite, and aggressively engage in solutions to urgently achieve comprehensive coastal restoration.* She further discussed the following: the Louisiana Land

Loss Crisis, the Delta Complexes, Coast 2050 Plan, the Third Delta Conveyance Channel, Wax Lake Outlet, and the Louisiana Coastal Area Study. Mr. Phillip Gouaux asked how the parish and Council could help. Ms. LeBlanc suggested that the Council adopt a resolution supporting the Third Delta and its continuance in the LCA Feasibility Study.

MOTIONS

The next item (2) on the agenda was a motion to submit Ellen DeCuir Mobile Home Park (3) mobile home spaces, District 8, Ward 10, to be presented before the April 29, 2004, Planning Commission meeting.

Mr. Michael St. Martin stated that items (2) through (14) are to be presented to the Planning Commission Thursday evening. Items (3) through (14) are listed below.

Item (3) on the agenda was a motion to submit Rachel Plantation, Addendum No. 3, Phase "D", (6) lots, District 4, Ward 11, to be presented before the April 29, 2004, Planning Commission meeting.

Item (4) on the agenda was a motion to submit Prairie Ridge Subdivision, Phase II (14) lots, District 5, Ward 3, to be presented before the April 29, 2004, Planning Commission meeting.

Item (5) on the agenda was a motion to submit Pelican Way Subdivision (48) lots, District 6, Ward 4, to be presented before the April 29, 2004, Planning Commission meeting.

Item (6) on the agenda was a motion to submit Algiers Commercial Subdivision, Addendum No. 1 (8) lots, District 1, Ward 1, to be presented before the April 29, 2004, Planning Commission meeting.

Item (7) on the agenda was a motion to submit Crepe Myrtle Place (9) lots, District 2, Ward 1, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (8) on the agenda was a motion to submit Prairie Lake Subdivision, Addendum No. 2 (22) lots, District 5, Ward 3, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (9) on the agenda was a motion to recommend a variance to the Council for the minimum side yard side set back for existing mobile home on Lot B, on the Redivision of 1.118 Acres into Lots A, B, and C Belonging to Jason Rodrigue, District 2, Ward 1, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (10) on the agenda was a motion to submit Redivision of 1.118 Acres Into Lots A, B & C Belonging to Jason Rodrigue (3) lots, District 2, Ward 1, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (11) on the agenda was a motion to submit Resubdivision of a Portion of the James & Elizabeth McGrew Property Into Lot A (1) lot, District 5, Ward 3, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (12) on the agenda was a motion to submit Lee Leger Subdivision (3) lots, District 9, Ward 10, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (13) on the agenda was a motion to submit C-Port 2 Mobile Home Park No. 2 (Phase 1,2,3,4,5,& 6) (20) mobile home spaces, District 9, Ward 10, to be presented before the April 29, 2004, Planning Commission Meeting.

Item (14) on the agenda was a motion to recommend a variance to the Council from not having to hard surface the cross streets and only leave a right-of-way for future access- French Turn

Subdivision, Addendum No. 4. District 8, Ward 10, to be presented before the April 29, 2004, Planning Commission Meeting.

Mr. St. Martin noted that **items (9) and (14)** are variance requests. He also mentioned that public comments were made on **item (7)**, Crepe Myrtle Place, adding that the gentleman has been speaking to the engineer of the development after he addressed the Committee. Mr. St. Martin stated that the Council and Planning Commission do not have much control over the exact type of residence that is placed on a lot, but does have control over the size of the lot, the drainage, and the infrastructure. He then said that the Planning Commission will listen to, address, and take into consideration his other issues, such as the quality of life. Mr. St. Martin addressed **item (5)**, saying the development is being handled by the engineering firm of David Waitz and Superior Land Developers. He continued by saying this development will have its own drainage system; it will not drain off any of the other subdivisions. Mr. Brent Callais referred to **item (2)**, which had problems with a fire hydrant not working and was originally turned down by the Planning Commission. Mr. St. Martin mentioned that the plat had been revised and read a letter from the Water District, which stated that there were no problems with the fire hydrant. At the request of Mr. Tommy Lasseigne, Mr. St. Martin explained **item (9)**, saying that a variance is being requested in the event that the mobile home remains on the lot permanently. A discussion ensued regarding the property line and the potential hazards. Mr. St. Martin mentioned that the basis for the variance is that the mobile home is a temporary unit and that the individual living on the property has no objection to the mobile home being so close to his residence; however, someone could buy the property tomorrow and have a problem with it, being a point of consideration when thinking about a variance. Mr. St. Martin stated that the Planning Commission is **not recommending** the variance. Next, Mr. Lasseigne requested information regarding **item (14)**, French Turn Subdivision. Mr. St. Martin stated that this subdivision does not meet the cross street and cul-de-sac requirements and was denied as presented at last month's Planning Commission meeting. He continued by saying that a representative of the developer, who originally agreed to put the cross street in the proper location, requested a variance from the cross street instead. He mentioned that the developer has also shown right-of-ways where future cross streets could possibly be built. Mr. St. Martin concluded that the Planning Commission would normally **not recommend** this variance request. Mr. Phillip Gouaux reminded the Committee that variances still have to come before the Council for final approval. Mr. St. Martin stated that the Planning Commission makes recommendations to the Council whether to deny or approve a variance, which can only be approved by the Council. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Tommy Lasseigne to send items (2) through (14) to the Planning Commission on April 29, 2004. The Committee **approved** the motion by a vote of nine (9) yeas and zero (0) nays.

The next item (15) on the agenda was a motion to enter into discussion regarding the Louisiana Community Development Block Grant Programs for community sewerage. Mr. Lindel Toups stated that when the parish receives a grant from the federal government to build a sewerage plant, the parish is then left to maintain the sewerage plant, which needs to be replaced within 15-20 years. He added that the replacement is not necessarily funded through grant monies and the cost ends up falling on the parish. Mr. Cullen Curole, Parish Administrator, mentioned that Mr. Jerome Danos, Solid Waste Director, thought that the parish was to pursue these types of sewerage district projects and is looking for the direction of the Council on whether or not to continue to pursue these

types of projects. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Brent Callais ***requesting that the Administration look into the feasibility of the parish continuing to receive these grants and give a report at the next full Council meeting.*** Mr. Tommy Lasseigne inquired about the Rita Sewerage Project and how it ties into the street projects. A discussion ensued regarding the issue of the parish no longer accepting grant money for sewerage projects and also the issue of sewerage fees and sewerage services. The Committee ***approved*** the motion by a vote of nine (9) yeas and zero (0) nays.

The next item (16) on the agenda was a motion to enter into discussion concerning parking on public streets. Mr. Phillip Gouaux discussed complaints he received from residents who say it is difficult to back out of their driveway due to people parking on the street. Mr. Gouaux requested that at the next full Council meeting, an ordinance be introduced stating that it will be illegal to park directly across from a driveway or within 10' of the driveway on the same side of the street. A discussion ensued regarding cross streets, being that they are parish property. Mr. Mark Atzenhoffer requested that the ordinance also include all unimproved, shouldered streets. Mr. Gouaux mentioned that this ordinance would help in decreasing the amount of fire zone signs being installed.

The next item (17) on the agenda was a motion to enter into discussion concerning the Highway Exchange Program with the Department of Transportation and Development. Mr. Mark Atzenhoffer mentioned that this issue was discussed at previous meetings. He said that due to Hwy. 3235, other state highways, and the upcoming expansion of LA 1, the parish will face a deficit with lane miles for the state, adding that the parish will need to make up some of that mileage. Mr. Cullen Curole referred to the handouts that were given to the Committee, saying that the list was provided by Louisiana Department of Transportation and Development (DOTD) as a suggestion of what low volume state streets the parish should consider taking back into the parish system. He added that the streets listed are not likely to be resurfaced by the State in the future, but as a part of the Exchange Program, the State provides a 2" asphalt overlay to bring these low volume streets up to standard. Mr. Curole suggested that the Committee review and recommend any negotiations the parish should make with DOTD, adding that overpasses and bridges over Hwy. 90 will not be considered for or included in the Exchange Program. Chairman Atzenhoffer requested that ***each Councilman present at the next full Council meeting what streets from their district should be sent to DOTD for consideration in the Exchange Program.*** A discussion ensued regarding the 2" asphalt overlay, which is subject to negotiation. Mr. Lindel Toups mentioned that this issue is similar to the sewerage systems, saying that the parish will be responsible for these streets in the future. He then suggested that the parish only accept roads that will not be used much. Mr. Gouaux mentioned that according to Mr. LeBlanc, the State Engineer, any roads substandard to state specification would be brought back to state specification before any overlay is placed on the road.

The next item (18) on the agenda was a motion to enter into discussion concerning speed bumps. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Mike Delatte requesting that the Administration, along with the Sheriff's Department, look into the use of speed bumps to control speeding. He suggested that public hearings be held throughout the parish before any decisions are made. Mr. Daniel Lorraine mentioned that an ordinance pertaining to speed bumps already exists and has been revised. He stated that residents who want speed bumps have to hire an engineer and pay for the speed bumps themselves. Chairman Atzenhoffer requested that the Council Clerk provide a copy of the ordinance to all Council members.

The next item (19) on the agenda was a motion to enter into discussion concerning out fall canals on Laris Drive in Mathews. Mr. Lindel Toups discussed the need for out fall canals on Laris Drive but said that a right-of-way is needed to run the out fall canal, since all the water comes from Laris Drive to Central Lafourche and is flooding the new roads. He requested that the Administration check the status of the possibility of getting a right-of-way on Laris Drive. Mr. Ray Cheramie said that if the parish can get a right-of-way, a ditch can be cut. He then announced that the parish is getting two new excavators within the next three weeks.

The next item (20) on the agenda was a motion to enter into discussion concerning trees along the highways. Mr. Daniel Lorraine mentioned the frequent occurrence of accidents. He said that he did not know if the parish could do something regarding this situation, but asked if the Council could help to remedy this problem. Mr. Dwayne LeBoeuf then mentioned there are also tree problems on streets, saying no one wants to claim the trees. President Randolph said that the Administration can research the situation to see what can be done and report back to the Council.

RESOLUTIONS

The next item (21) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development (DOTD) to adjust the signs regarding East/West and North/South direction along Louisiana Highway 1 and 308 to be consistent. Mr. Phillip Gouaux discussed the need for the adjustment of signs, saying that if the signs were consistent, it would help in giving directions. He then said that DOTD in Houma required that the legislature request a variance to change the road signs because the even numbered highways are East and West, and the odd ones are North and South. Mr. Gouaux said that Senator Reggie Dupre would assist in providing a variance to Hwy 308, which would be labeled correctly, if the Council passed a resolution. He requested that the resolution be sent to DOTD, Senator Dupre, and Representative Loulan Pitre. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mike Delatte. The Committee *recommended approval* to the Council said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-029 ADJUST DIRECTION SIGNS ON LA 1 AND HWY 308

The next item (22) on the agenda was a resolution requesting a legal opinion from the Lafourche Parish District Attorney regarding the authority the parish has to clean roadside ditches. Mr. Daniel Lorraine mentioned that although some residents allow the digging of ditches, others do not, which can delay the completion of a project. He requested an opinion from the District Attorney in an effort to help solve the problem, adding that the opinion could then be given to the Foremen at the barns. A motion was offered by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. Discussion ensued. The Committee *recommended approval* to the Council said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-030 DA OPINION REGARDING THE CLEANING OF ROADSIDE DITCHES

OTHER BUSINESS

The next item on the agenda was any other business. Mr. Michael Matherne addressed the flooding in West Thibodaux which occurred earlier in the week. He said that the ditches cannot be serviced because the parish right-of-ways in the area are being obstructed, which may be a factor of why the water got so high. Mr. Ray Cheramie said that everyone wants drainage but on someone else's property. He added that he was unsure of the legality of how the Administration could handle the situation. Mr. Matherne relinquished his time to Mr. Preston Roddy, who discussed the servitude issue, mentioning that a resident, whose property contains a servitude, should be levied a fine should

they deny the parish a right-of-way to the servitude. Mr. Cheramie said that handling this issue is not an easy task, adding that a long range solution is needed for the future. Further discussion ensued regarding right-of-ways.

Next, Mr. Phillip Gouaux discussed a street that was resurfaced in 1998 and was not accepted into the parish system. He explained that the owner wants to develop property behind that area and wants the street taken into the parish system. Mr. Gouaux relinquished his time to the engineer, Larry Picciola, who represented the owner Mr. Herman Orgeron. Mr. Picciola gave a brief background regarding the subdivision and discussed the problem of why it is being held up. He requested that the street be accepted into the parish system so that Mr. Orgeron could begin with his subdivision. Mr. Gouaux mentioned a state law that automatically accepts private streets into the parish system if they have been maintained by the parish for three or more years. Mr. Brent Callais stated that the Supreme Court ruled that although a parish maintains a private street for three years, it is not automatically accepted into the parish system. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Mike Delatte to allow the *Administration to look into the situation of private streets being maintained by the parish and make a recommendation to the full Council or next Committee meeting*. Discussion ensued. Mr. Curole discussed street regulations and suggested that a recommendation be made for this particular situation but be a standard for addressing other streets. The Committee **approved** the motion by a vote of nine (9) yeas and zero (0) nays.

ADJOURN

On motion by Mr. Lindel Toups and seconded by Mr. Mike Delatte and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee of April 27, 2004, adjourned at 7:55 pm.

**MARK ATZENHOFFER, CHAIRMAN
LAFORCHE PARISH PUBLIC WORKS
AND SOLID WASTE COMMITTEE**

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

The next item (5a) on the agenda was a recommendation from the Administration regarding the feasibility of the parish continuing to receive Louisiana Community Development Block Grants for community sewerage. Mr. Cullen Curole read a handout that each Councilman received entitled "Community Block Development Grants to Build Sewerage Units." Mr. Curole mentioned that the Administration was asked to recommend whether or not the parish should continue to receive the grants due to the obligations and expenses that go along with these systems. He mentioned that to meet public health requirements, private community sewerage systems were developed and stated that the real problem with sewer system exists in the maintenance and operation of the facilities. Mr. Curole stated that the **recommendation of the Administration** was for Lafourche Parish to continue seeking federal subsidies to build sewer treatment facilities within the parish since such facilities will help to improve the water quality in the parish and provide improved quality of life for low income residents who otherwise could not afford to upgrade to better systems. The Administration further advised that the parish seek federal and state assistance in operating and maintaining these systems where funding is available; that the Administration dedicate parish resources to the operation and maintenance of these facilities to avoid future repairs, and that the parish consider increases in local revenue sources. Mr. Curole announced that the attachments to the handout listed specific dollar amounts from different parish sewer systems, mentioning that as the systems get older, the dollar

amount will increase. Mr. Jerome Danos then mentioned that the Morristown project is in the works to be built this year and that the parish applied for grants for two other projects, a new construction in Meadowland Subdivision and a renovation of the Marydale facility, for next year, all estimated to cost \$1 million. Chairman Toups then addressed the issue of the engineers getting paid 15% of the cost of the project, saying that the parish is left with the cost of maintaining the facilities, and then suggested that the Administration look into the possibility of paying the engineers a lower percentage. A discussion ensued regarding what percentage engineers get paid. Mr. Danos then said that the construction of the project includes road drainage, and sidewalk work, improving the neighborhood. He then clarified that the Meadowland project will be a two phase project because the grant, applied for next year, only covers half of the subdivision. A discussion ensued regarding residential sewer fees and whether or not a cap is set, and also hook-up fees.

The next item (5b) on the agenda was a discussion concerning what streets should be recommended to the Department of Transportation and Development for consideration in the Highway Exchange Program. Mr. Mark Atzenhoffer *deferred* this item until the next Committee meeting.

The next item (5c) on the agenda was a recommendation from the Administration regarding the process of accepting private streets into the parish system. Mr. Cullen Curole stated that the ordinance provides guidelines on what condition a street has to be in to be accepted into the parish system and is used when subdivisions are built. He referred to the street that prompted the question, adding that it was maintained by the parish a couple of years ago and meets the parish guidelines. Mr. Curole said that it is the **recommendation of the Administration** that, in the future, any private street meeting parish guidelines be accepted into the parish system if the owner would want to ask for a dedication or bring it into the parish system, and if the street does not meet parish guidelines, the owner would first have to bring the street up to standard before being accepted into the parish system. He further recommended that, for process, the landowner/street owner should have the Department of Public Works certify that the street has met parish requirements, and suggested that a fee be charged or even have the owner incur any costs required to bring the street up to standard. Mr. Curole stated that the Council would decide whether or not to accept these streets into the parish system. Chairman Toups suggested that an ordinance be introduced by any Councilman wanting a private street in their district to be accepted into the parish system. Mr. Mark Atzenhoffer then mentioned an Attorney General opinion stating that the length of time a street is maintained by the parish is irrelevant in regards to the street being accepted into the parish system.

The next item (6) on the agenda was to approve the minutes and recommendations of the April 27, 2004 Board of Appointment and Permits Committee meeting. A motion was offered by Mr. Michael Matherne, Chairman of the Board of Appointment and Permits Committee, and seconded by Mr. Mark Atzenhoffer to accept the minutes and recommendations of the Board of Appointment and Permits Committee meeting. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the April 27, 2004 Board of Appointments and Permits Committee Meeting are as follows:

**APRIL 27, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL BOARD OF APPOINTMENTS AND PERMITS COMMITTEE WAS SCHEDULED TO MEET ON TUESDAY, APRIL 27, 2004, IMMEDIATELY FOLLOWING THE PUBLIC WORKS & SOLID WASTE COMMITTEE MEETING TO BE HELD IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND LOUISIANA.

Mr. Michael Matherne, Chairman, stated that the Board of Appointments and Permits Committee were ready for the transaction of business following the close of the Public Works & Solid Waste Committee Meeting. Proceedings of the meeting were called to order at 8:03 P.M. with the following:

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

ABSENT: None

MOTIONS

The first item (1) on the agenda was a motion to enter into discussion concerning ratifying the appointment of Mr. James Barnidge as the Louisiana State University Alumni Association nominee to the Lafourche Parish Civil Service Board. A motion was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. The Committee *recommended the appointment* of **Mr. James Barnidge** to the **Lafourche Parish Civil Service Board** by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was a motion to enter into discussion concerning the appointments of Mr. Faron J. Cortez and Mrs. Wanda Tabor to the Lafourche Parish Recreation District No. 5 Board (Ward 6). A motion was offered by Mr. Mike Delatte and seconded by Mr. Mark Atzenhoffer. The Committee *recommended the appointments* of **Mr. Faron J. Cortez and Mrs. Wanda Tabor** to the **Lafourche Parish Recreation District No. 5 (Ward 6)** by a vote of nine (9) yeas and zero (0) nays.

The next item (3) on the agenda was a motion to enter into discussion concerning the appointment of an individual to the Lafourche Parish Hospital Service District No. 1 Board (Ward 10). A motion was offered by Mr. Brent Callais and seconded by Mr. Tommy Lasseigne to appoint Dr. Bryan Bouzigard. Mr. Phillip Gouaux mentioned that a portion of his district is in the Ward 10 area and added that he will request the State Legislature require that the Board have a representative from each district within the board. Mr. Callais stated the composition of the board members. The Committee *recommended the appointment* of **Dr. Bryan Bouzigard** to the **Lafourche Parish Hospital Service District No. 1** by a vote of nine (9) yeas and zero (0) nays.

The next item (4) on the agenda was a motion to enter into discussion concerning the appointment of a Lafourche Parish Library Board of Control liaison. President Randolph mentioned that an earlier appointment was made, but the appointee/Councilman felt that he should pursue other issues instead. President Randolph recommended that Mr. Mark Atzenhoffer be appointed as the library liaison. A motion was offered by Mr. Lindel Toups and seconded by Mr. Phillip Gouaux.

The Committee *recommended the appointment* of Mr. Mark Atzenhoffer as the Lafourche Parish Library Board of Control liaison by a vote of eight (8) yeas and one (1) abstention, being that of Mr. Mark Atzenhoffer.

The next item (5) on the agenda was a motion to enter into discussion concerning the minutes and meeting tapes of the Blue Ribbon Committee. Mr. Daniel Lorraine mentioned that a request was made for the minutes of the Blue Ribbon Committee meetings and then requested that the tapes of the meetings also be supplied to the Councilmen. He said that he is still waiting for the minutes which the Blue Ribbon Committee Chairman agreed to provide. Mr. Mark Atzenhoffer suggested that the tapes be made available to the Council, rather than make copies of the tapes for each Councilman. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to send a letter to the Blue Ribbon Committee Chairman requesting that the minutes and meeting tapes of the Blue Ribbon Committee meetings be made available to the Council Clerk prior to the May 11, 2004 Council meeting. Mr. Atzenhoffer stated that this Committee was formed by ordinance, therefore, has to abide by any Council request and can be prosecuted for violation of the law. The Committee *approved* the motion by a vote of nine (9) yeas and zero (0) nays.

The next item (6) on the agenda was a motion to enter into discussion concerning receiving copies of the financial statements of all parish boards that were submitted a letter. Mr. Daniel Lorraine, along with Mr. Mark Atzenhoffer, said that he received the copies of the financial statements that he requested from the Clerk's Office.

The next item (7) on the agenda was a motion to enter into discussion regarding those parish boards that did not comply to the Council's information request and to the Blue Ribbon Committee's request to address the Committee. A motion was offered by Mr. Mark Atzenhoffer to **defer** until the Council receives a response from the Blue Ribbon Committee.

The next item (8) on the agenda was a motion to enter into discussion authorizing the Administration to solicit for bids in order to hire an architect to design a library for the Bayou Blue and Raceland area, and for a possible site in Chackbay. Mr. Mark Atzenhoffer mentioned that since the parish will be building three libraries that will basically be identical, it is not necessary to have three different architects to redesign the same building. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Mike Delatte to authorize the Administration to solicit for architectural bids in order to hire an architect to design a library for the Bayou Blue and Raceland area, and a third option for Chackbay. Mr. Atzenhoffer told Mr. Lorraine that although this was a professional service, the parish was not required by law to bid the projects out. Mr. Lorraine expressed his opinion that the work should be distributed between different firms so that everyone has the opportunity to benefit from the projects. A discussion ensued regarding whether or not an architect was currently under contract. Mr. Atzenhoffer then addressed Mr. Toups' question of why the library in Gheens and Lockport were not included by restating that the libraries to be built in Bayou Blue, Raceland, and Chackbay will be the same building. He added that the hiring of only one architect, opposed to three, could help to save the parish money by cutting down on costs. The Committee *approved* the motion by a vote of nine (9) yeas and zero (0) nays.

RESOLUTIONS

The next item (9) on the agenda was a resolution hiring the firm of Cheramie/Whitney Architects, A Professional Corporation, to redesign the new Galliano/Cutoff library building for use as a public library. A motion was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Callais mentioned that Mr. Larry Picciola suggested that an architectural firm, rather than an engineering firm, be used, adding that the Cheramie/Whitney firm, which had just completed

regarding the legality of the resolution. A **motion** was offered by Mr. Tommy Lasseigne and seconded by Mr. Daniel Lorraine requesting a legal opinion from the District Attorney. The minutes were **approved**, pending an opinion from the District Attorney, by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the April 27, 2004 Finance and Legislative Committee Meeting are as follows:

APRIL 27, 2004

RACELAND, LOUISIANA

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL FINANCE & LEGISLATIVE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, APRIL 27, 2004, IMMEDIATELY FOLLOWING THE BOARD OF APPOINTMENTS AND PERMITS COMMITTEE MEETING, IN THE COUNCIL ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Tommy Lasseigne, Chairman, stated that the Finance and Legislative Committee was ready for the transaction of business following the Board of Appointments and Permits Committee. Proceedings of the meeting were called to order at 8:30 p.m. with the following:

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

ABSENT: None

A motion was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and **carried** to deviate from the regular agenda and move to a 2/3 Agenda by a vote of nine (9) yeas and zero (0) nays.

2/3 AGENDA

The first item (1) on the 2/3 Agenda was a motion to enter into a discussion concerning the bid for renovations to the Galliano Health Unit. Mr. Cullen Curole referred to the bids received and recommended that the Council give the Administration the authority to accept the lowest bidder, Picciola Construction Co., Inc. at a bid of \$106,550. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. The Committee **approved** the motion to give the Administration the authority to accept the bid from Picciola Construction Co., Inc. by a vote of nine (9) yeas and zero (0) nays.

The next item (2) was a discussion concerning parish credit cards. Mrs. Shannon Chiasson stated that the purpose for the credit cards would be for emergency purposes only, referring to an instance when the parish was unable to purchase a part for a bridge. She also said that the credit card would have \$25,000 line of credit and only the Parish President could purchase the charge to the credit card. Mrs. Chiasson mentioned that certain staff members would be able to have a credit card, which has a checks and balances system set up. A **motion** was offered by Mr. Phillip Gouaux and **unanimously seconded** to authorize the Parish President to acquire a business credit card for the

parish of Lafourche with a total maximum limit of up to \$25,000 and to designate and establish internal guidelines for its use.

Next, a motion was offered by Mr. Mark Atzenhoffer and *unanimously seconded* to return to the regular agenda.

MOTIONS

The first item (1) on the agenda was a motion to enter into discussion concerning the parish website. Mr. Mark Atzenhoffer mentioned that the parish website needs work, adding that people should be able to access the website for agendas, Code of Ordinances, and Home Rule Charter, in addition to contacting Councilmen. He suggested that the Administration look into utilizing Nicholls State University or the Technical College to develop a design within the next 30-60 days. Mr. Curole mentioned that the parish currently has an agreement with South Central Planning (SCP) to assist with the existing website, adding that SCP has not been provided with much information from the parish and any ideas are welcomed. Discussion ensued. Mr. Atzenhoffer suggested that the website responsibilities be taken from SCP and make it a function of the parish to maintain its own website internally. Mr. Phillip Gouaux discussed SCP's role in developing the website and recommended that the photographer who took pictures of the Councilmen be called so that the pictures can be given to SCP to be posted on the website.

The next item (2) on the agenda was a motion to enter into discussion concerning food services at the Head Start facilities. Mr. Tyrone Williams discussed complaints he received about the food supplied from the Detention Center to Head Start, saying that he does not see a problem with the food. A discussion ensued regarding the cost of this service to be provided elsewhere. President Randolph mentioned that the complaints were investigated and until further evidence is received, there is no need to change the contract. Mr. Willie Johnson, Head of the Correction Office for the Sheriff's Office, discussed the allegations concerning the food services, which does not profit the Sheriff's Office because inmate labor is used and the Sheriff's Office absorbs the cost of the supervision of the inmates. He further discussed the quality and cost of the service, saying that any profit organization would not be able to provide the service at a cheaper cost.

The next item (3) on the agenda was a motion to enter into discussion to request additional information from the Lafourche Parish Library. Mr. Mark Atzenhoffer said that this item could be removed since he, as the liaison, could get the information himself. Chairman Lasseigne announced that item (3) was removed from the agenda.

The next item (4) on the agenda was a motion to enter into discussion regarding can shakes on bridges throughout the parish. Mr. Daniel Lorraine mentioned that he was trying to make the can shakes safer, not trying to get rid of them. He suggested that a letter be sent to the Sheriff's Office requesting that a deputy be supplied, at no charge, when can shakes are held. Mr. Lorraine requested that the Council Clerk send the Councilmen copies of the ordinances regarding can shakes.

RESOLUTIONS

The next item (5) on the agenda was a resolution authorizing the Parish President to sign grant applications, contracts and cooperative agreements and to administer signed grants, contracts, and agreements for new and continuing programs including, but not limited to, Coastal Zone Management, Head Start, and the Workforce Investment Program. This authorization does not provide for authority in circumstances where the Council has taken action to maintain said authority in another body. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Mark Atzenhoffer. An amendment was offered by Mr. Mark Atzenhoffer to exclude the words *new and*, after *agreements for*, from the resolution, to allow for the signing of grants that are already in the works. Discussion ensued. Mr. Cullen Curole explained (refer to handout) the effects of the resolution authorizing the Parish President to sign certain budgeted contracts, adding that the text

on the handout was divided into parts for the purpose of explanation. He discussed each individual part. Mr. Curole concluded that the adoption of this resolution would give the Parish President authority to act on behalf of the parish, in regards to grant programs and projects and may be of a time sensitive matter. A discussion ensued with further explanation of the resolution. Chairman Lasseigne read the **amendment** to read as follows (additions--italicized; exclusions--stricken through):

Resolution authorizing the Parish President to sign grant applications, contracts and cooperative agreements *for continuing programs to present new grant awards and programs for the approval of the Council* and to administer ~~signed~~ *approved* grants, contracts, and agreements for new and continuing programs including, but not limited to, Coastal Zone Management, Head Start, and the Workforce Investment Program. This authorization does not provide for authority in circumstances where the Council has taken action to maintain said authority *for themselves or* in another body.

The **amendment** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. The Committee **recommended approval** of the amendment by a vote of nine (9) yeas and zero (0) nays. Next, the Committee **recommended approval** of the resolution as amended by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-032 AUTHORIZE SIGNATURE OF PARISH PRESIDENT

The next item (6) on the agenda was a resolution rescinding Resolution No. 04-012 and enacting a new resolution authorizing the Parish President to negotiate all contracts pertinent to the Lafourche Parish Government; to execute and administer contracts for equipment, professional services, material, supplies and other services up to amounts budgeted in the approved maintenance and operating budget; to execute and administer contracts for projects, capital improvements and related professional services as specifically identified in the approved maintenance and operating budget or as subsequently authorized by the Council; to prepare, and submit for approval to the Council contracts for projects, capital improvement sand related professional services not specifically identified in the Maintenance and Operating Budget; and to execute and administer contracts for projects, capital improvements and related professional services not specifically identified in the approved Maintenance and Operating Budget when approved by the Council. (A handout was also distributed to the Committee for further explanation of the resolution) A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine questioned the need to change Resolution No. 04-012, which reads: "Resolution authorizing the Parish President to negotiate contracts pertinent to the Lafourche Parish Government and thereafter present the final contract to the Council for final ratification." Mr. Mark Atzenhoffer referred to contracts dealing with the daily operations of the parish, saying that those contracts, which may be time sensitive, should not need council approval. Mr. Brent Callais commented that the parish knows ahead of time when contracts will end. He spoke in opposition to the resolution because it does not require Council approval, citing comments A2 and A3 on the handout. Mr. Curole explained the handout further and discussed instances in which council approval would, or should not, be needed. Further discussion ensued. An **amendment** was offered by Mr. Mark Atzenhoffer for the resolution to read as follows (additions--bolded): *Resolution rescinding Resolution No. 04-012 and enacting a new resolution to authorize the Parish President to negotiate all contracts pertinent to the Lafourche Parish Government; to execute and administer contracts for equipment, professional services, material, supplies and other services up to amounts budgeted in the approved maintenance and operating budget; to execute and administer contracts for projects, capital improvements and related professional services as specifically identified in **and up to amounts originally budgeted in** the approved maintenance and operating budget or as subsequently*

authorized by the Council; to prepare, and submit for approval to the Council contracts for projects, capital improvement sand related professional services not specifically identified in the Maintenance and Operating Budget; and to execute and administer contracts for projects, capital improvements and related professional services not specifically identified in the approved Maintenance and Operating Budget when approved by the Council. This authorization does not provide for authority in circumstances where the Council has taken action to maintain said authority for themselves or to another body. The Lafourche Parish Council will maintain said authority for contracts dealing with all Road Sales Tax Districts and any contracts that extend beyond one year. The Committee **recommended approval** of the amendment by a vote of eight (8) yeas and one (1) nay, being that of Mr. Daniel Lorraine. Next, a roll call vote was taken on the resolution as amended as follows:

YEAS: Mr. Phillip Gouaux
Mr. Mike Delatte
Mr. Tyrone Williams
Mr. Lindel Toups
Mr. Michael Matherne
Mr. Mark Atzenhoffer

NAYS: Mr. Daniel Lorraine
Mr. Brent Callais
Mr. Tommy Lasseigne

The Committee **recommended approval** of the resolution as amended by a vote of six (6) yeas and three (3) nays.

RES. NO. 04-033 AUTHORIZE PARISH PRESIDENT TO NEGOTIATE CONTRACTS

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was Public to Address the Committee. Ms. Rosie Galjour mentioned that she felt tension over the issue dealing with the contracts and inquired about President Randolph's feeling on the matter. President Randolph said that she did not want the issue to be a personal one but wanted the Council to vote on whether or not to give the Parish President the authority, not her personally, adding that the Council continues to have authority.

OTHER BUSINESS

The next item on the agenda was any Other Business be addressed. Mr. Mark Atzenhoffer announced that the Muscular Dystrophy Association will be holding a "Lock-up" at Fremin's on May 11, 2004 and asked for the public's support.

ADJOURN

On motion by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and with no further business, the Lafourche Parish Council Legislative and Finance Committee of April 27, 2004, adjourned at 9:28 P.M.

**TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH FINANCE
AND LEGISLATIVE COMMITTEE**

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

The next item (8) on the agenda was to approve the minutes and recommendations of the May 3, 2004 Solid Waste Sub-Committee meeting. A motion was offered Mr. Phillip Gouaux and seconded by Mr. Mike Delatte. The minutes and recommendations were **approved** by a vote of nine

(9) yeas and zero (0) nays.

Proceedings of the May 3, 2004 Solid Waste Sub-Committee Meeting are as follows:

**MAY 3, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL SOLID WASTE SUB-COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR MONDAY, MAY 3, 2004, AT 6:00 P.M. IN THE COUNCIL ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Lindel Toups, Chairman of the Lafourche Parish Council, stated that the Solid Waste Sub-Committee was ready for the transaction of business at 6:00 P.M.. He announced that, as Council Chair, he nominated three Councilmen, one from the north, central, and south area of the parish, to serve on the Committee. Proceedings of the meeting were called to order with the following:

PRESENT: Mr. Mike Delatte–Co-Chair
Mr. L. Phillip Gouaux, II–Chairman
Mr. Brent Callais

ABSENT: None

Mr. Toups announced that the Parish President was also present.

MOTIONS

The first item (1) on the agenda was a motion to appoint a Chairman. A motion was offered by Mr. Brent Callais and seconded by Mr. Mike Delatte to appoint Mr. Phillip Gouaux. The Committee approved the appointment of **Mr. Phillip Gouaux** by *unanimous concession*.

The next item (2) on the agenda was a motion to appoint a Co-Chair. A motion was offered by Mr. Brent Callais and seconded by Mr. Phillip Gouaux. The Committee approved the appointment of **Mr. Mike Delatte** by *unanimous concession*.

DISCUSSIONS

The next item (3) on the agenda was a discussion concerning a landfill proposal. Chairman Gouaux requested that the Committee receive a copy of the proposal for their review and to discuss it at the next meeting. President Randolph mentioned that discussions were held with two landfill sites and that the Council's pleasure of either requesting proposals or negotiating was unknown. She commented that one of the reasons for the meeting was to discuss what direction the Council will instruct the Administration to take, adding that another issue to be discussed was whether the Council wanted the landfill proposal to be separate from the solid waste collection contract. Chairman Gouaux suggested that the parish request proposals, particularly for a comparison basis, and that on the proposal, garbage be separate from C&D-type materials, such as tree debris and wood. A brief discussion ensued regarding whether or not the Parish President was given the authority to negotiate with SWDI.

Next, a discussion ensued regarding the landfills, with the Parish President saying that no official quotes were received. A **motion** was offered by Mr. Brent Callais seconded by Mr. Mike Delatte, and *carried* that the parish go out for proposals for the land fill. President Randolph was informed that the C&D materials could be included, but as a separate priced item. Mr. Jerome Danos, Solid Waste Manager, discussed the difference between the rates of C&D and garbage. He

mentioned that it would be to the parish's advantage to get a proposal that would separate that type of material, adding that the language of the contract will need to be carefully written.

The next item (4) on the agenda was a discussion concerning the solid waste contract. Chairman Gouaux stated that the Council approved extending the contract six months. A discussion ensued again on whether or not the Parish President was given the authority to enter into renegotiations of a contract. Chairman Gouaux said that the parish needs to go forth on starting the negotiation process, suggesting the Parish President handle the negotiations. A discussion ensued regarding whether to begin negotiations or to go out for bids. Chairman Gouaux suggested investigating what the surrounding parishes pay per house prior to going out for contracts. A discussion ensued concerning bids and proposals, the difference between the two, and to include quality of service and the use of a local company as factors when deciding on a company. A motion was offered by Mr. Brent Callais to accept proposals for the Solid Waste Contract. Mr. Danos mentioned that he finished a proposal on Friday. He then said that the contract will expire in September and suggested that the parish announce the new contract 90 days before the expiration date, saying that the contract would need to be settled by early July. Mr. Roddie Matherne said that new 2004 equipment was purchased and that he would need 15 to 30 days to put together a proposal. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mike Delatte, and *carried* to accept proposals for the Solid Waste Contract with a June 4, 2004 deadline.

OTHER BUSINESS

The next item on the agenda was other business. Mr. John Davis asked if SWDI was going to pick up tires that have been thrown in his yard, or if the landfill or shooting range would accept tires. Mr. Danos discussed the stipulation which only allows 5 tires per day.

Chairman Gouaux suggested that the parish find property to turn into a landfill and then asked if landfills were only generated through big businesses due to the liability involved. Mr. Danos then addressed the issue, saying that the northern part of the parish would be most suitable. Mr. Gouaux wondered if it was conceivable that the parish has property that would suit the need and inquired about the cost that would be involved to develop a landfill. Discussion ensued. A **motion** was offered by Mr. Mike Delatte and seconded by Mr. Brent Callais for the Administration to look into the possibility of Lafourche having its own landfill. Mr. Danos expressed reasons why a landfill in Lafourche Parish would not be feasible. The Committee *approved* the motion.

Chairman Gouaux mentioned that SWDI hauls garbage straight to the landfill and said that the cost could be reduced if the parish had a staging site, suggesting that property on old Hwy. 90 could be used to accommodate such a facility. He said that a staging site would keep SWDI trucks from having two deliveries to the landfill. A motion was offered by Mr. Brent Callais, seconded by Mr. Mike Delatte, and *carried* for the Administration to look into Lafourche Parish having its own staging site and to include the cost factor of a staging site in the proposal.

ADJOURN

On motion by Mr. Brent Callais and seconded by Mr. Mike Delatte and with no further business the Lafourche Parish Council Solid Waste Sub-Committee of May 3, 2004, adjourned at 6:30 pm.

**PHILLIP GOUAUX, CHAIRMAN
LAFOURCHE PARISH SOLID WASTE
SUB-COMMITTEE**

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

PRESIDENT REPORT

The next item (9) on the agenda was a presentation of monthly report by the Parish President as required by the Lafourche Parish Home Rule Charter, Article II, Section B, Item 2, which states: "The president shall submit monthly reports to the governing authority on parish finances and may require any parish officer or employee to report to the governing authority when necessary for the proper administration of the parish. Mrs. Shannon Chiasson, Finance Director, gave an update saying the auditors are in and that tomorrow the auditors will give a progress report on the audit. She stated that the Council was provided with the Financial Statement for the month ending April 30, 2004, adding that each department was provided with the specific financials that relate to their department. She also said that beginning May 1, 2004, the purchasing procedures were changed requiring each department head to review each purchase requisition before going to the Finance Department so that they will be accountable for their budget. Mrs. Chiasson then discussed impacts on the budget seen since last month, including additional legal fees, purchase of property, raises, and jail renovations, all of which were unbudgeted and totaled \$325,000. She mentioned that a "Needs Assessment" was given to President Randolph, a major need being technology, which would cost between \$350,000-\$450,000 just to get started. She further discussed what would be included in that cost. Mrs. Chiasson concluded that the parish is continuing to identify needs, adapting the budget to serve those needs, and identifying other funding opportunities. Next, Chairman Toups explained the \$50,000 spent for jail renovations. Discussion ensued. Major Willie Johnson discussed the jail renovations, saying that it was to help cut down expenses of housing inmates out of the parish. He continued by saying the previous Council adopted a resolution authorizing a supplemental appropriation, which never occurred. Mr. Tommy Lasseigne inquired about \$3 million that was in Union Planters Bank but not in the LAMP account, and also about equipment purchases on the Road and Bridges fund, which was for pick-up trucks and dump trucks. Mr. Ray Cheramie mentioned that equipment could also be purchased through the drainage budget.

PRESENTATION

The next item (11) on the agenda was a Power Point presentation by Mr. Vic Lafont with the South Louisiana Economic Council (SLEC). Mr. Lafont thanked the Council and Parish President for their continued support, both by resources and time, to SLEC, whose mission is to diversify the economy and keep it going. He discussed the need for advancements in technology. He said that the Advanced Technology Center would be the main issue being discussed. Mr. Lafont then introduced Mr. Jake Giardina, Chairman of the Board for SLEC, which is made up of 22 regional employers of private industries. Mr. Giardina referred to the Advanced Technology Center project, explaining that it is the most important and biggest undertaking in SLEC, saying that this project will bring forth many high level opportunities to the parish. Next, Mr. Bernie Clyne, Master Consultant on the project, handed the Councilmen a concept paper regarding the economic development and diversification that is a joint venture between Nicholls State University and SLEC. He said that individual presentations will be made regarding the benefits of the Advanced Technology Center, which will potentially include the Lafourche main library or the Thibodaux Library, and explained the benefits of the inclusion of libraries. Mr. Clyne said that within the next few weeks, the Council will be asked to support an ordinance that will be introduced by the public library, to give them the opportunity and support to join the Advanced Technology Center. Discussion ensued. Next, Senator Butch Gautreaux discussed the concept of the Advanced Technology Center. He then discussed the Maritime Institute for Emergency Monitoring and Response, which will function similarly to the Nicholls State Culinary Institute, and will offer a degree to students in homeland security and certification to safety professionals throughout the Maritime Industry. Discussion ensued regarding

funding for the project and mentioned Governor Blanco's support for the project, specifically regarding education and homeland security. Mr. Vic Lafont gave a brief recap of the discussions. He told Mr. Phillip Gouaux that the project will be located adjacent to the University and that the City of Thibodaux is looking into the annexation of the project. A discussion ensued regarding the ownership of the technology center and the cost analysis. Senator Gautreaux mentioned that 911 will also move to the technology center. He also stated that the Advanced Technology Center will be annexed for a variety of reasons and also that the parish is not being asked to assist in funding the project. A discussion ensued regarding taxes associated with the technology center. Discussions ensued regarding the intention of 911 commitment to the technology center and the issue of architects for the library. A discussion ensued regarding what impact the library would have on the overall project if the Council decided not to include the library and also the negotiation of a land-swap with 911. Further discussion ensued regarding the library's budget which includes the total cost to develop the administrative offices and the main library branch of Thibodaux. Mr. Michael Matherne requested that these documents be forwarded to the Council Chair.

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

PUBLIC HEARING

The next item (12) on the agenda was a public hearing to hear any and all objections to the proposed redistricting of Fire Protection District No. 8 (Ward 6) of the Parish of Lafourche, so as to divide the district into three (3) separate fire protection districts. No one from the public wanted to speak on the item.

Next, a motion was offered by Mr. Daniel Lorraine, seconded by Mr. Mike Delatte, and *carried* to **open the Public Hearing section** of the meeting.

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (13) on the agenda was an ordinance to accept into the parish system the subdivision known as the "Grace Court Estates Subdivision", Ward 5, District 4 of Lafourche Parish. A motion was offered by Mr. Tommy Lasseigne, seconded by Mr. Mike Delatte, and *carried* to **defer** item (13) by a vote of nine (9) yeas and zero (0) nays.

The next item (14) on the agenda was an ordinance establishing a "4-Way Stop" intersection at Silver Street and Division Street, Ward 11, District 5 of Lafourche Parish; authorizing the installation of 4-Way Stop signs; and providing for penalties of violations thereof. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3414

4-WAY STOP-SILVER & DIVISION ST

The next item (15) on the agenda was an ordinance establishing a 15 miles per hour speed limit on Silver Street, Sharnell Street, Division Street, and Dewey Street, Ward 11, District 5 of Lafourche Parish; authorizing the installation of speed limit signs, Speed Checked by Radar signs and Children at Play signs; and providing for penalties of violations thereof. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3415 15 MPH SILVER, SHARNELL, DIVISION, & DEWEY ST

The next item (16) on the agenda was an ordinance establishing a “No Parking Zone” along the docks at the Clovelly Boat Launch, Ward 10, District 8 of Lafourche Parish; authorizing the installation of said signs; and providing for penalties of violations thereof. A motion was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3416 NO PARKING CLOVELLY BOAT LAUNCH

The next item (17) on the agenda was an ordinance establishing “No Thru Traffic-Dead End” on East 28th Street and East 90th Street, Ward 10, District 8 of Lafourche; authorizing the installation of “No Thru Traffic” and Dead End Signs” with reflectors; and providing for penalties of violations thereof. A motion was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Cecil Watt mentioned that an ordinance was adopted to install “Dead End” signs on all streets that do not go between LA 1 and the back road. Mr. Callais said that this street was on the other side of the bayou. Mr. Phillip Gouaux mentioned that this ordinance provided violation penalties, which is not needed. He stated that an ordinance is not needed to install “Dead End” signs. The Council Clerk was asked to remove “*and providing for penalties of violations thereof*” from the ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3317 NO THRU TRAFFIC EAST 28TH & 90TH ST

The next item (18) on the agenda was an ordinance establishing a “Dead End” on Avenue “A” of West 86th Street, Ward 10, District 8 of Lafourche Parish; authorizing the installation of “Dead End” signs with reflectors; and providing for penalties of violations thereof. A motion was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3418 DEAD END WEST 86TH ST

The next item (19) on the agenda was an ordinance establishing a “No Parking Fire Lane” on both sides of West 77th Street for its entire length, Ward 10, District 8 of Lafourche Parish; authorizing the installation of said signs; and providing for penalties of violations thereof. A motion was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. Ms. Adiare Cantrelle, representing the neighborhood of the old Delta Farms Road, East 106th Street, Avenue J, discussed the issue of not being able to have “No Parking Fire Lane” signs on both sides of a street. Discussion ensued. Mr. Brent Callais mentioned that “No Parking Fire Lane” signs are needed on West 77th Street because it’s an 8' narrow street. Mr. Callais amended the ordinance to *exclude “Fire Lane”* from the ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3419 FIRE LANE WEST 77TH ST

The next item (20) on the agenda was an ordinance establishing a 35 miles per hour speed limit on Bowie Road, Ward 2, District 3 of Lafourche Parish; authorizing the installation of speed limit signs, Speed Checked by Radar signs and Children at Play signs; and providing for penalties of violations thereof. A motion was offered by Mr. Tommy Lasseigne and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3420 35 MPH BOWIE RD

The next item (21) on the agenda was an ordinance amending Ordinance No. 3342 to remove the “3-Way Stop” at the intersection of Bermuda Place and Holiday Drive; and to authorize the

installation of a “Stop” sign on Bermuda Place, Ward 2, District 4 of Lafourche Parish. A motion was offered by Mr. Tommy Lasseigne and seconded by Mr. Mike Delatte. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3421 REMOVE 3-WAY STOP BERMUDA PLACE & HOLIDAY DR

The next item (22) on the agenda was an ordinance amending Ordinance No. 3138 to delete the purchase of the Schwab Law Office Building in Thibodaux. A motion was offered by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3422 AMEND ORD 3138—REMOVE SCHWAB BUILDING PURCHASE

The next item (23) on the agenda was an ordinance authorizing the Parish President to enter into a contract for a Parish Monitor to monitor pipeline construction activities and other related industrial development in Lafourche Parish. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mike Delatte. No one from the public wanted to speak on the proposed ordinance. An **amendment** was offered by Mr. Phillip Gouaux and seconded by Mr. Mike Delatte to add attached information to the ordinance, including the following: definition of the parish monitor, rules and regulations as set forth by the Parish of Lafourche, responsibilities of parish monitor, and safety, by a vote of nine (9) yeas and zero (0) nays. The Council *approved* the **amendment** by a vote of nine (9) yeas and zero (0) nays. Mr. Gouaux mentioned the Parish Monitor, whichever firm is chosen, will have no impact on the parish financially, adding that the firm will not be employed by the parish, but will answer to the Department of Public Works to make sure that all regulations and safety issues on pipeline construction work are met. Mr. Gouaux explained that the companies will be required to pay the salary of the monitor. A discussion ensued regarding advertising for the position. Mr. Mark Atzenhoffer requested that all companies who apply for the position come before the Council. Mr. Phillip Gouaux mentioned that the standard hourly wage for this job was \$40 per hour. He discussed the need for a parish monitor, saying that companies from out of state are not concerned with what happens to the parish’s environment or following specifications. He discussed some of the qualifications that would be needed for the position. Mr. Michael Matherne suggested advertising in the official journal for companies interested in being the monitor and then work a rotating assignment. A discussion ensued regarding the specifications of the job. A **motion** was offered by Mr. Tommy Lasseigne and seconded by Mr. Brent Callais to **defer** this ordinance until more information is gathered and also to have the Administration to look into this issue. Mr. Gouaux mentioned that a parish monitor was approved years ago but no action was taken. The Council *approved* the motion to **defer** by a vote of nine (9) yeas and zero (0) nays.

A motion was offered by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, and *carried* to **take a 5 minute recess**, it being 9:45, by a vote of nine (9) yeas and zero (0) nays.

The next item (24) on the agenda was an ordinance authorizing the Parish President to review, negotiate, renew, and/or issue new leases for Head Start facilities; and authorizing the Parish President to sign said leases. A motion was offered by Mr. Tyrone Williams and seconded by Mr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3423 HEAD START LEASES

The next item (25) on the agenda was an ordinance amending and re-enacting the Code of Ordinances of the Lafourche Parish Council as it pertains to Parish Executive Departments. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Tommy Lasseigne. No one from

the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3424 PARISH EXECUTIVE DEPARTMENTS

The next item (26) on the agenda was an ordinance making it unlawful to negligently abandon any vessel, barge or other floating or sunken craft within the jurisdiction of the Lake Fields Preserve; making it unlawful to negligently leave unattended any vessel, barge or other floating or sunken craft moored or docked within the jurisdiction of the Lake Fields Preserve without written permission from the Lafourche Parish Game and Fish Management Commission; to further establish a procedure for the removal or seizure of abandoned or unattended vessels; and to provide penalties for violations thereof. A motion was offered by Mr. Phillip Gouaux, seconded by Mr. Mike Delatte, and *carried* to **defer item (26)** by a vote of nine (9) yeas and zero (0) nays.

The next item (27) on the agenda was an ordinance amending Ordinance No. 3205 as it pertains to derelict structures, in order that the Solid Waste Department be the responsible department to process matters pertaining to Derelict Buildings and Structures; and all funding for such matters to be derived from the General Fund. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mike Delatte. No one from the public wanted to speak on the proposed ordinance. Mr. Phillip Gouaux mentioned that the District Attorney's office is looking at the state statute and said that in the near future, the Council will bring forth to adopt the state statute which will be modified to suit Lafourche Parish's needs. Mr. Gouaux stated that the Planning Department will no longer be associated with derelict structures. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3425 AMEND ORD. 3205--DERELICT BUILDINGS & STRUCTURES

The next item (28) on the agenda was an ordinance forming a Committee to re-write the subdivision and mobile home park regulations; setting date of final recommendation; and providing for its effective date. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3426 SUBDIVISION REGULATIONS COMMITTEE

The next item (29) on the agenda was an ordinance providing for a transfer of appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council to increase the Executive Budget by \$2,013.54, to decrease Human Resources by \$5,203, to decrease Finance by \$3,759, to increase OEP by \$406.33, to decrease purchasing by \$3,959, to decrease Public Works by \$61,793.69, to increase Planning by \$4,037.72, to increase 911 addressing by \$1,045.60, and to increase Roads and Bridges by \$76,512.76. A motion was offered by Mr. Tommy Lasseigne and seconded by Mr. Phillip Gouaux. An **amendment** was offered by Mr. Phillip Gouaux and seconded by Mr. Tommy Lasseigne to decrease Public Works by \$71,094 instead of \$61,793.69. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* the **amendment** by a vote of nine (9) yeas and zero (0) nays. The Council *adopted* said ordinance as amended by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3427 TRANSFER APPROPRIATION #1

The next item (30) on the agenda was an ordinance providing for a transfer of appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council to increase the Executive Department by \$32,514, to increase the Legislative Department by \$14,125, to decrease the Purchasing Department by \$20,000 and to decrease Human Resources by \$26,639. A motion was offered by Mr. Tommy Lasseigne and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine

(9) yeas and zero (0) nays.

ORD. NO. 3428

TRANSFER APPROPRIATION #2

The next item (31) on the agenda was an ordinance to provide for a transfer of appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council to increase Recreation District No. 3 by \$133,784. A motion was offered by Mr. Daniel Lorraine and seconded by Mr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. Chairman Toups explained that Recreation District No. 3 (LRD 3) was in the 10th Ward and that these monies were not spent last year and are being given back to LRD 3. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3429

TRANSFER APPROPRIATION #3

The next item (32) on the agenda was an ordinance establishing a “No Parking Fire Lane” on the left side for the entire length of Belle Terre Drive, Ward 6, District 2 of Lafourche Parish; authorizing the installation of the necessary signs; and providing for penalties for violations thereof. A motion was offered by Mr. Mike Delatte and seconded by Mr. Tyrone Williams. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3430

FIRE LANE–BELLE TERRE DR

The next item (33) on the agenda was an ordinance amending Ordinance No. 1127 to reduce the speed limit of 15 miles per hour to 10 miles per hour on West 163rd Street, Ward 10, District 9 of Lafourche Parish; requiring the placement of “Speed Limit”, “Speed Checked by Radar”, and “Caution Children at Play” signs; and providing for penalties for violations thereof. A motion was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3431

10 MPH WEST 163RD ST

The next item (34) on the agenda was an ordinance accepting into the parish system a subdivision known as the “Greenway Estates Subdivision,” Ward 6, District 2 of Lafourche Parish. A motion was offered by Mr. Mike Delatte and seconded by Mr. Tyrone Williams. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3432

ACCEPT GREENWAY ESTATES

The next item (35) on the agenda was an ordinance accepting into the parish system a subdivision known as the “Ludevine Plantation Subdivision, Ward 9, District 7 of Lafourche Parish. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mike Delatte. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3433

ACCEPT LOUDEVINE PLANTATION

The next item (36) on the agenda was an ordinance accepting into the parish system a subdivision known as the “Brian and Gilbert Cheramie Subdivision”, Ward 10, District 8 of Lafourche Parish. A motion was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3434

ACCEPT BRIAN & GILBERT CHERAMIE

The next item (37) on the agenda was an ordinance accepting into the parish system a subdivision known as the “Betty Benoit Subdivision”, Ward 1, District 3 of Lafourche Parish. A motion was offered by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a

The next item (44) on the agenda was a proposed ordinance to accept into the parish system West 3rd Street, Ward 10, District 7 of Lafourche Parish. A motion was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (45) on the agenda was a proposed ordinance redistricting Fire Protection District No. 8 (Ward 6) of the Parish of Lafourche, into three (3) separate fire protection districts, all pursuant to a public hearing held by the Lafourche Parish Council May 11, 2004. A motion was offered by Mr. Mike Delatte to introduce the above stated proposed ordinance.

The next item (46) on the agenda was a proposed ordinance rescinding Ordinance No. 3205 and enacting a new ordinance pertaining to derelict structures. Chairman Toups announced that item (46) was *deferred*.

RESOLUTIONS

The next item (47) on the agenda was a resolution supporting the Third Delta Conveyance Channel Feasibility Study and urging other interested parties to offer their endorsement of this most important project. A motion was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-034 THIRD DELTA CONVEYANCE CHANNEL FEASIBILITY STUDY

The next item (48) on the agenda was a resolution supporting projects for the Louisiana Coastal Area Ecosystem Restoration Feasibility Study and urging other interested parties to offer their endorsement of these most important projects. A motion was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-035

LCA FEASIBILITY STUDY

The next item (49) on the agenda was a resolution requesting a legal opinion from the Lafourche Parish District Attorney to determine whether or not the Lafourche Parish Council can assume the duties of the Lafourche Parish Library Board of Control. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. An **amendment** was offered by Mr. Daniel Lorraine and seconded by Mr. Tommy Lasseigne requesting an opinion from the Attorney General and that the Council receive a copy of the letter being sent to the District Attorney and Attorney General. Mr. Phillip Gouaux mentioned that the Council should only request one opinion. A discussion ensued concerning the issue of both the District Attorney and Attorney General issuing an opinion. The Council *adopted* the amendment by a vote of seven (7) yeas and two (2) nays, being that of Mr. Phillip Gouaux and Mr. Mark Atzenhoffer. The Council *adopted* the resolution as amended by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-036

DA OPINION-LIBRARY BOARD

MOTIONS

The next item (50) on the agenda was a discussion concerning granting a variance regarding French Turn Subdivision, Addendum No. 4 from having to hard surface the cross streets and only leaving a right-of-way for future access. The Planning Commission *did not recommend* the **variance on the cross streets** but *did recommend* a **variance for the cul-de-sac**. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to follow the recommendations of the Planning Commission. A discussion ensued regarding the variance for the cul-de-sac, located in District 8, which would be approximately 700', exceeding the 500' distance required by the subdivision regulations. Mr. Ray Cheramie showed a drawing of the cul-de-sac. A discussion ensued regarding whether or not to follow the Planning Commission's recommendation. Mr. Mark Atzenhoffer explained that a parish ordinance requires a cross street every 500', saying that

this variance is to allow an extra 200' without putting another cross street. Mr. Gouaux *withdrew* his motion and Mr. Atzenhoffer *withdrew* his second. A motion was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and *carried* to **defer item (50) to the next Public Works and Solid Waste Committee Meeting** by a vote of nine (9) yeas and zero (0) nays.

MONTHLY ENGINEERING REPORT

The next item (51) on the agenda was a presentation of planned, presently ongoing, recently completed or other projects by appropriate engineering firms engaged by the Parish. No engineers were present.

LEGAL ADVISOR REPORT

The next item (52) on the agenda was a motion to relinquish time to the Lafourche Parish Legal Advisor. The District Attorney was not present to give his report.

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

The next item (3) on the 2/3 Agenda was a motion to form a Subcommittee of the Council with delegations from Terrebonne Parish to discuss the Lafourche/Terrebonne Parish boundary lines. Mr. Mark Atzenhoffer recommended that the Subcommittee be comprised of himself, Mr. Tommy Lasseigne, Mr. Phillip Gouaux, Mr. Lindel Toups, and a representative from the Administration to meet with the parish's counterparts of Terrebonne Parish to discuss and come up with a plan regarding the boundary lines of Lafourche and Terrebonne. He added that this will be a non-voting committee, which will make a recommendation to the Council for ratification, and will follow all open meeting laws. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to form a Subcommittee of the Council with delegations from Terrebonne Parish to discuss the Lafourche/Terrebonne Parish boundary lines. Mr. Phillip Gouaux suggested that a representative of South Central Planning also be included in the Subcommittee. The Council *approved* the motion by a vote of nine (9) yeas and zero (0) nays.

The next item (4) on the 2/3 Agenda was a discussion concerning the mosquito abatement program. Mr. Cullen Curole mentioned that at a previous Council meeting, Mr. Brent Callais requested that before a mosquito control program proceed, that the Administration request proposals for bids. Mr. Curole said that it was the **recommendation** of the Administration to accept the lowest bidder, Mosquito Control of Lafourche, and to authorize the Administration to proceed to contract with the firm for one year, with the ability to renew the contract after the one year period. Chairman Toups referred to a letter received from a company in Monroe who used to deal with the company. Mr. Callais mentioned phone calls he received against the mosquito abatement program. Mr. Brent Callais requested that the Council advertise in the official journal to inform the public that at the next Public Works and Solid Waste Committee meeting, the mosquito abatement program will be discussed and the public will be allowed to express their concerns. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to **defer** this item until the next Public Works & Solid Waste Committee meeting. Mr. Gouaux inquired about Mosquito Control's plans on spraying. Mr. William McShadda, Mosquito Control in Harvey, stated that there is no set plan, but discussed several techniques the company uses to determine where and when to spray. He then explained the spraying schedule and stated that the spraying will be ground and aerial. Chairman Toups asked the Council Clerk to send a letter requesting Mr. McShadda to attend the next Public Works & Solid Waste Committee meeting to answer any other questions the Council or the public may have. The Council *adopted* the motion to **defer** by a vote of nine (9) yeas and zero (0) nays.

Another issue discussed on the 2/3 Agenda was regarding a problem Mr. Daniel Lorraine was

having with a contractor riding a bulldozer on a parish street and crossing a bridge. Mr. Lorraine mentioned complaints he received and said that the problem needs to be taken care of, whether it be the District Attorney's office or the Sheriff's office. He then said that the contractor should be responsible for fixing the streets he destroyed. A **motion** was offered by Mr. Daniel Lorraine and **unanimously seconded** authorizing the Administration to get with the District Attorney's office or the Sheriff's office to find a solution to this problem, and to possibly require the contractor to pay for the streets he damaged.

Next, a motion was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** to **return to the original agenda** by a vote of nine (9) yeas and zero (0) nays.

PUBLIC WISHING TO ADDRESS THE COUNCIL

Chairman Lindel Toups announced that the next item was Public wishing to address the Council.

Mrs. Adaire Cantrelle, representing the neighborhood of East 106th Street, Avenue J and I, continued her discussion from earlier regarding the "No Parking Fire Lane" signs on both sides of the streets. She requested that the ordinance be reversed. Mr. Phillip Gouaux gave an explanation of the problem and said that if vehicles are parked on both sides of the street, emergency vehicles will not be able to pass. Discussion ensued. Chairman Toups suggested that he, along with Mr. Gouaux and Mr. Callais, get with the Administration next Monday at 6:00 P.M. to talk to all parties involved to try and solve the problem.

Next, Mr. Cecil Watts, Jr. addressed the Council regarding the Veterans Memorial District and the Veteran's Advisory Committee. He mentioned that in the beginning, the primary concern was to take the veterans to the VA Hospital in New Orleans. Mr. Watts continued by discussing the millage for the District and the issue of finding veterans. Mr. Watts proposed that the Committee members be relieved of their duties. Then, a discussion ensued regarding the difference between and the functions of the Veterans Memorial District (VMD) and the Veteran's Advisory Committee. Mr. Brent Callais, the Chairman of the VMD, addressed the issue of the funds the district, saying that the 3 vans for the District will be going out on bid and that the nine Councilmen who make up the District are the only ones who could spend money, as stated in the tax code. Mr. Donovan Toups discussed the issue of transportation to the VA Hospitals, saying that the purchases of buses rather than vans should be considered. Mr. Lawrence Monic mentioned that the tax call was also going to include the purchase of a memorial, which should have been obvious, in addition to transportation.

Next, Mr. Michael Matherne asked that the Councilmen do not get in the habit of using a 2/3 Agenda, which is sometimes needed to discuss the litigation of lawsuits. He added that he is not able to research and make an educated decision regarding items that are placed on a 2/3 Agenda.

ADJOURN

On motion by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Meeting of May 11, 2004, adjourned at 11:00 P.M.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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