

MAY 22, 2007
RACELAND, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, MAY 22, 2007 AT 5:00 P.M., AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HIGHWAY 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Dr. Tommy Lasseigne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 5:03 p.m.

Chairman Lasseigne announced that the [invocation](#) would be led by Mr. Michael Delatte. The Council then recited the [Pledge of Allegiance](#) led by Mr. Lindel Touns. Proceedings of the meeting were called to order with the following:

PRESENT:

Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Dr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Touns
Mr. Phillip Gouaux
Mr. Brent Callais
Mr. Daniel Lorraine
President Charlotte A Randolph

ABSENT:

None

APPROVAL OF COUNCIL MINUTES

[The first item \(1\) on the agenda was a motion to accept the minutes of the May 8, 2007 Regular Session meeting.](#) A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

PROCLAMATIONS

[The next item \(2\) on the agenda was a proclamation declaring May as Older Americans Month in Louisiana.](#) President Charlotte A. Randolph read said proclamation and then presented the same to Ms. Charlene Rodriguez, Council On Aging, Inc.

PUBLIC WISHING TO ADDRESS THE COUNCIL

The next item on the agenda was the Public to address the Council. No one from the public wished to address the Council.

PRESENTATIONS

The next item on the agenda was presentations. There were no presentations.

EXECUTIVE SESSION

A motion was made by Mr. Michael Matherne to enter into executive session but after a brief discussion ensued regarding not having legal representation present nor Mr. Sonny Breaux it was decided to return later to enter into executive session.

A motion was made by Mr. Daniel Lorraine to *defer* to Item (40) on the May 22, 2007 Lafourche Parish Council agenda, seconded by Mr. Brent Callais. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

The next item (40) on the agenda was a resolution authorizing the Parish President of Lafourche to enter into an Agreement with the Louisiana Department of Transportation and Development obligating the Lafourche Parish Government to assume all legal liability for any and all maintenance and operating cost of the Lighting System in the Elevated Louisiana Highway 1 Project.

Mr. Henri' Boulet addressed the Council and voiced that he had supplied the Council with maps showing the area where LADOTD (Louisiana Department of Transportation and Development) was offering to place the original equipment for lighting on the elevated Louisiana Highway 1. He said that a copy of the proposed resolution regarding the matter should have been received by the Council in their packets. Mr. Atzenhoffer clarified that the Louisiana Department of Transportation and Development wanted the Parish to assume all legal liability for any and all maintenance and operating costs? He then asked if the Parish had done this anywhere else? Mr. Boulet stated that he did not believe this had been done in the Parish, explaining that this was the new direction that the Louisiana Department of Transportation and Development was moving in. He said that the Louisiana Department of Transportation and Development had given examples of working similar agreements with the Parish of Baton Rouge, and then explained the same. Mr. Atzenhoffer clarified that if a light went out that the Parish would have to fix it, to which Mr. Boulet stated that was correct. Mr. Atzenhoffer voiced what would have to be done if the Parish had to take care of the lights and the stated that at the current time that when a light went out that Entergy would replace the lights. Discussions then ensued regarding the matter being handled the same way with Entergy replacing the lights. Mr. Curole stated that the process may be different because the Louisiana Department of Transportation and Development was asking the Parish to do the resolution and agreement before everything being in place but that the Street Light District paid for lights up and down the Parish and on State Highways. He said that in many instances, the Parish had to pay for the facility charges to put the light in place. Mr. Curole stated that in the current instance the State would be paying to install the lighting system. He continued to speak on the matter in detail. Mr. Lorraine stated that he did not think this was any different wherein the State had asked the Parish to take in streets such as Delta Farms which used to belong to the State but that now that it was paved it belonged to the Parish. He continued to briefly speak on the matter. Mr. Atzenhoffer voiced that the wording "of legal liability" was uncomfortable, saying that would mean the Parish was at fault if a

light went out and there was an accident. A brief discussion ensued. Mr. Boulet stated that the Louisiana Department of Transportation and Development wanted to do this early in order to design it according to federal standards and that he was sure that there were lights that went on State highways. He said he did not know what their recommendation would be as far as a contractor going through the area twice (2) a week to view the lights or not but that they had stated that they would provide guidance on the matter. Chairman Lasseigne asked what would be the annual costs to the Parish, to which Mr. Boulet stated that the Louisiana Department of Transportation and Development's best estimate was that it would be between \$10,000 and \$15,000 a year to take care of both intersections, saying that would include the electric bill and the maintenance contract. Detailed discussions ensued. A **motion** was made by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. An **amendment** was made by Mr. Daniel Lorraine and seconded by Mr. Brent Callais to delete ~~Mr. Daniel Toups~~ and replace it Mr. Daniel Lorraine. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions. The motion *carried* by a vote of (8) yeas, (1) nay, that being of Mr. Mark Atzenhoffer, (0) absent and (0) abstentions.

**RES. NO. 07-145 PARISH ASSUME LIABILITY FOR LIGHTING SYSTEM;
ELEVATED LA. HWY. 1 PROJECT**

[A motion was made by Mr. Lindel Toups, seconded by Mr. Brent Callais to return to the regular agenda. The motion carried unanimously by a vote of \(9\) yeas, \(0\) nays, \(0\) absents and \(0\) abstentions.](#)

ADMINISTRATIVE REPORT(S)

[The next item \(5\) on the agenda was Ms. Shannon Chiasson who presented a visual finance report which included the following topics:](#)

Finance Report, May 22, 2007

Shannon Chiasson, Finance Director

April 2007 Financial Reports

- Royalty Revenue Report
- Sales Tax Revenue Report
- April Operating Statements
- April Revenue/Expenditure Update

Financial Information Link

<http://www.lafourchegov.org/lafourchegov/finance-reports.aspx>

Fund Recap

- Cover letter for each fund
 - Budget Revenue/Expenditures
 - Received YTD
 - Received current month
 - Transfers In/Out
 - Capital Projects
 - Supplemental Appropriations

General Fund Recap - Revenues

- \$8,118,584 Total Revenue Budgeted
- \$1,805,868 Total Revenue Received as of April 30, 2007

- 22% of Budgeted Revenue
- \$246,162 Revenue collected in April

General Fund Recap - Expenditures

- \$12,456,390 Total Expenditures Budgeted
- \$1,933,384 Total Expended as of April 30, 2007
- 16% of Budgeted Expenditures
- \$851,303 Expended in April

General Fund Recap - Transfers

- \$326,416 Transfer-Outs
- No Transfer-Ins to date
- \$814,394 Capital Projects carried forward

General Fund Recap - Appropriation

- #1 Ordinance 4008 – increased expenditures by \$60,000
- #5 Ordinance 4034 – increased expenditures by \$53,637
- #6 Ordinance 4035 – increased expenditures by \$449,000

Supplemental Appropriations

- 3 Supplemental Appropriations for adoption
 - Items 21, 22, 23,
- 1 Supplemental Appropriation proposed
 - Item 28

Supplemental Appropriation #7

- Item 21
 - Recreation Carry-forwards
 - Line of Credit Draw
 - LAMP interest earnings

Supplemental Appropriations #8

- Item 22
- Community Action Funds
 - Grant Modification
 - Year End Roll-overs

Supplemental Appropriation #9

- Item 23
 - Correct omission in Supplemental #4008
 - Theriot Lock Project
 - Drainage projects

Supplemental Appropriation #13

- Item 28
 - Purchase Recreation Vehicle

Royalty Revenues

	<u>2006</u>	<u>2007</u>
• February	300,115	365,704
• March	343,926	384,465

•April	342,779	349,523	Total	YTD
	1,300,523	1,412,386		

(2006 total – 3,761,050)

Road Sales Tax District #2

	<u>2006</u>	<u>2007</u>
•February	306,777	415,054
•March	337,403	419,532
•April	460,134	506,399*
Total YTD	1,461,887	1,851,314

(2006 Total – 5,046,602)

Road Sales Tax District #3

	<u>2006</u>	<u>2007</u>
•February	62,720	108,371
•March	79,231	115,509
•April	95,576	137,306
Total YTD	324,915	469,533

(2006 total - 1,107,535)

Road Sales Tax District #5

	<u>2006</u>	<u>2007</u>
•February	102,335	80,121
•March	82,917	85,592
•April	103,063	101,788
Total YTD	383,315	356,490

(2006 total – 1,270,156)

Road Sales Tax District #6

	<u>2006</u>	<u>2007</u>
•February	69,465	75,547
•March	72,176	66,093
•April	91,822	109,101
Total YTD	325,264	354,494

(2006 total – 1,070,140)

Solid Waste

	<u>2006</u>	<u>2007</u>
•February	413,379	512,088
•March	443,915	498,573
•April	576,695	622,147
Total YTD	1,923,547	2,204,544

(2006 total – 6,476,908)

Audit

- Stagni and Company
- On site April 17, 2007 thru June 1, 2007
 - 80% field work completed
 - Fixed Assets
 - Single Audit

- Component Units
- 2008 Budget
 - Needs Assessment Forms
 - Mark Atzenhoffer
 - Equipment Forms
 - Facilities Forms
 - Due **May 15, 2007**
- The End

Mrs. Chiasson informed the Council that supplied to them at the current meeting was the final copy of the 2007 Bicentennial Budget which she said would be submitted for peer review and then proceeded to summarize it in part. Mr. Atzenhoffer voiced his confusion with the financial statements Mrs. Chiasson had provided to the Council before her presentation, including commenting on the Animal Shelter only spending \$163 on food. He also pointed out that the Animal Shelter was already over budget on utilities and that nothing had been spent on waste collection. Mr. Atzenhoffer stated that the Animal Shelter had doubled the development budget, saying that \$963 had been spent and only \$500 had been budgeted. He voiced that he had also found similar examples to that throughout the documentation given. Mrs. Chiasson stated that the managers could transfer between line items and that some of the transfers may not have been posted at the time the reports had been ran. **She stated that she could research the matter and get back with Mr. Atzenhoffer on his concern.** Mr. Atzenhoffer continued to voice concerns regarding the financials, giving various examples in various funds. Detailed discussions ensued. Mr. Atzenhoffer stated that the Animal Shelter spent 192% of their budget on professional development, saying that the Shelter would have to move money. He asked at what point were the managers told to move the money because they had to be within 5% of their budget and also asked how long did the Parish give them to do so? Mrs. Chiasson stated that it was usually reviewed on a monthly basis and done on a quarterly basis. Mr. Atzenhoffer point out that it was the end of the quarter. He then asked if the financial information the Council had been provided was un-reviewed? He then asked who would review it? Mrs. Chiasson stated that the fund accountants were reviewing it. Mr. Atzenhoffer clarified that the fund accountants would be reviewing the current financial statements because it was the end of the quarter and would have to adjust it? Mrs. Chiasson stated that the managers had to request a transfer. Mr. Atzenhoffer asked who was checking up on the managers, to which Mrs. Chiasson responded that they were, adding that it would be cleared out. Mr. Callais asked how much was currently had in the Solid Waste fund balance, stating various amounts from various years. Mrs. Chiasson stated that she did not have that information at the current time. President Randolph interjected by stating that she had a report to give on Solid Waste. Mr. Callais then inquired about a project in his area, the money budgeted and the money being shown in the 2007 Bicentennial Budget, which he said was less than what had been budgeted. He stated that no monies had been spent on that project. Mrs. Chiasson stated that the numbers shown were estimates from June of the prior year through August of the prior year based on what was thought would have be done by the end of the year. She stated that all of the roll-over amounts had been adjusted on the past supplemental appropriations. Mr. Callais clarified that what was being shown was as of the end of the year, using the Galliano Annex as an example and saying that there was only \$27,000 being shown. Mrs. Chiasson stated that was a projected budget, saying that a budget was a projection of

what was thought could be spent. President Charlotte A Randolph voiced that Mrs. Chiasson was available to answer questions anytime, be it by e-mail, in her office or by phone. [She then proceeded to explain in detail a visual presentation on the Recycling Program which included the following:](#)

Recycling Program

Charlotte Randolph, *Parish President*

Recycling Program

- \$300,000 Allocated in 2007 Budget
- SWDI Estimate
 - Weekly Collection – single stream no sorting
 - \$1.90 per house or \$700,000 annually
- Carts
 - \$10 per 14 Gallon
 - \$40 per Covered 64 Gallon, Wheeled Cart

Recycling Program

- Start up Cost
 - \$300,000 for 14 Gallon
 - \$1,200,000 for 64 Gallon
- Total Cost for program ranges from \$1,000,000 to \$1,900,000

President Randolph stated that what had been looked at when discussions had been had on Solid Waste was the fact that with the \$300,000 budgeted for recycling that by the end of the current year the Parish would have an approximate surplus of \$1.2 million. She said that in discussing that they had looked at the fact that when hurricanes Katrina and Rita had hit there had been debris removal, adding that the Parish had been fortunate in that they had had no costs for the debris removal. President Randolph stated that other areas had actually had to pay 10% and for other storms the parishes had had to pay up to 35%. She stated that the Katrina and Rita clean up had amounted to between \$5 and \$6 million dollars, saying that 10% of that would have been one-half of a million dollars. President Randolph stated that a \$1.2 million dollar balance at the end of a year was probably sufficient to cover an emergency event but not much more than that. She said that to get into the recycling program would take every bit of resources that was being anticipated and while they acknowledge that sales tax receipts were up they also recognize that in the future when the post-Katrina spending slowly ebbed the Parish would have less money collected in the Solid Waste fund. She stated that she thought that to be the answers to the recycling program for the present time. President Randolph stated that it was certainly something that they would like to begin doing but that it was very expensive. She stated that unless and until another firm to do the recycling and then interrupted herself by stating that that firm would have to purchase the trucks to do it. President Randolph then mentioned that NOAA (National Oceanic Atmospheric Administration) had come out with its hurricane forecast on May 22, 2007, saying that a busy hurricane season was being forecasted. [She then explained in detail a visual presentation regarding the matter which included the following:](#)

Lafourche Funding Opportunities and Hurricane Protection

Charlotte Randolph, *Parish President*

Hurricane Protection

- OEP Hurricane Drill

- FEMA Conference

Saltwater Control Structure

- \$5 Million from State Surplus.
- \$2.3 Million from Federal Government.
- Excess money may be used for additional projects:
 - Choupic Levee
 - Larose to Lockport Levee
 - Lafourche’s Match for Morganza to the Gulf

Morganza to the Gulf

- \$886 Million in WRDA Bill
- \$58 Million of \$200 Million State Surplus Coastal Plan
- Protects Western Lafourche
- Allow for more redundant rainfall protection levees

Caminada Headland Restoration

- \$43 Million out of \$200 Million State Share
- Beach nourishment Project to protect LA 1 and Port Fourchon

South Lafourche Levee District

- \$5 Million from State Surplus Share for Levees
- \$90 Million Total in WRDA Bill for Levees
- \$13 Million from State Surplus Share for South Lafourche Lock

CIAP – Pipeline Slurry Project

- \$10 Million Total from Lafourche
- Pipeline Slurry Project
- \$1 Million from Lafourche
- \$30 Million from State

CIAP – LA 1

- \$10 Million Total
- \$2.23 Million from Lafourche
- \$35.23 Million from the State
- \$63 Million in 07-08 DOTD Budget

Donaldsonville to the Gulf

- \$1.5 Million of \$200 Million State Surplus

Larose Bridge

- \$6 Million State
- \$11 Million DOTD
- \$17 Million to Build

OCS Funds 2017-2027

- Proposed bill allows sale of money similar to tobacco settlement
- Lafourche would receive \$180 Million over ten years

Totals

- \$200 Million Total State Surplus Funds

- \$195.23 Million Affecting Lafourche
- \$976 Million from WRDA Bill Affecting Lafourche
- \$1.17 Billion** Affecting Lafourche

The next item (6) on the agenda was an update regarding a hydraulic study of Manchester Manor. Mr. Ben Hodson, Picciola & Associates, Inc. reported to the Council that they had finalized the engineering contracts the week of May 14, 2007. He said that Mr. Joseph Picciola was scheduled to meet with Mr. Ray Cheramie, Department of Public Works, in the week of May 21, 2007 and surveying should be started the following week.

The next item (7) on the agenda was an update on Road Sales Tax District No. 2, Phase 4C. Mr. Curole stated that bids should be brought in on June 19th at 10:00 a.m.

The next item (8) on the agenda was an update on the Galliano Annex. Mr. Brennan Matherne stated that bids had been started on May 22, 2007 and they would be being opened on June 26th.

The next item (9) on the agenda was a status report regarding speed bumps. **Mr. Curole stated that he would have to get information on that.** Mr. Callais pointed out that when this matter had been approved no line item had been created for the funding of the speed bumps. He recalled asking that co-op agreements be done with the Sheriff's Office. He stated that there were at least two (2) streets that had been approved.

The next item (10) on the agenda was an update on expropriation of the Crosby Property behind Cut Off Elementary. Mr. Callais stated that a meeting had been had on the matter on May 22, 2007 and that it had been a good meeting.

The next item (11) on the agenda was an update regarding Ordinance No. 4015 Public Rights over existing streets and right-of-ways. **Mr. Callais asked if the Administration could come up with the steps of what would have to be followed to let landowners know what was needed.** President Charlotte A Randolph stated that something had been came up with but that the legality of that was being checked on. A brief discussion ensued.

The next item (12) on the agenda was an ABFE/LRA Update:

a. The number of residents that have applied for Hazard Mitigation Funds.

b. List of projects submitted by Lafourche Parish.

c. List of projects approved.

d. List of projects funded.

e. Total dollars of funded projects.

f. Total number of building permits year to date with a comparison of same time last two (2) years.

Mr. Dirk Matherne, a Raceland resident, addressed the Council and gave a detailed update on what had been happening in his area since the passing of the ABFEs(Advisory Base Flood Elevations). He gave several examples of elevations trying to be obtained and soil boring requests and problems being incurred. Mr. Matherne asked if the soil borings were part of the new code and also asked where that information had come from, to which Mr. Curole stated that he had the same question as well, saying that he had attended a meeting at South Central Planning and that had been discussed. He reiterated that he was trying to find out where the matter was written. Mr. Curole continued to briefly speak on the matter. Discussions continued on the problems being incurred by l trying to build and having to do the soil borings. Mr. Matherne continued to give various examples of problems being incurred, as well as the stating by some individuals that they would put double

wide trailers on the mounds instead of building homes. He spoke in detail of the impact being incurred by developers since the adoption of the ABFEs, as well as his own neighborhood. Mr. Matherne continued to speak at length on the matter, voicing his concerns, mentioning the de-evaluation of homes and the loss of taxes. He asked what could the Council do about these matters? He stated that he was aware that the Council was working with FEMA, adding that the if the Council did not fight for the people of the areas affected to get re-certification of levees that the people of the area would not have a chance. Mr. Matherne asked that the Council and the Administration work with FEMA as much as they could to help get some sort of certification and then elaborated on the same. He continued to speak at length on the matter and voice his requests to the Council and Administration. Mr. Atzenhoffer then voiced his thoughts on the matter in detail, saying that he was glad the Mr. Matherne had addressed the Council in order to give the Council and idea of what the results had been by the adoption of the ABFEs. He spoke about a “double-standard” voicing what other parishes had been be able to build to with regards to ABFEs and various flood zones. He continued to speak on the matter in detail. Mr. Atzenhoffer stated that the action of the Council had killed development in part of the district that he represented. He said that the Parish was not supposed to cripple businesses but was to get out of the way and let the businesses take care of themselves. Mr. Atzenhoffer stated that the Council had crippled an industry in the Parish, saying that he had not voted for it but would have to take blame for it also because maybe he had not worked hard enough to get it defeated. He continued to briefly speak on the matter, saying the report on the ABFEs to be given later in the meeting was also important, saying that had been the purpose for the Council passing the ABFEs. Mr. Atzenhoffer stated that not one thing had changed to the positive but that the change to the negative had been that development had been “killed” in Lafourche Parish. President Randolph informed Mr. Atzenhoffer and Mr. Dirk Matherne that they had been proactive in the matter, saying that they had met with a developer in Mr. Atzenhoffer’s area and had suggested that there was mitigation for the damages that had been caused by the adoption of the ABFEs. She stated that they had provided the developer with information that FEMA has where concerns could be addressed, particularly those concerns that development had begun on prior to the implementation of the ABFEs. President Randolph stated that the developer had taken that information and had worked with a parish employee and was attempting to recoup some of the funds and in a way so where he could possibly use some of the funds to redesign the development so that homes could be built there. She stated that they had been proactive and did not want to “kill” development in the area. President Randolph stated that they had tried to find a mechanism to help the developer, adding that the particular developer being spoken about earlier had called the Parish and asked for help. She said that they had met with the developer and have given him various suggestions and offered their assistance. President Randolph continued to speak on the matter. She advised Mr. Matherne that if he was interested that they would certainly sit down with him and tell him what they had discovered and as more was discovered it would be passed along to him. Discussions then began on that subject between Mr. Matherne and President Randolph. Mr. Atzenhoffer asked that the report given regarding Item (12) be entered in to the record and therefore it is attached hereto as Exhibit 1. He pointed out that on the report that items (12)(a) and (12)(b) had not changed and were the same as previously submitted by Lafourche Parish. Mr. Atzenhoffer stated that with regards to Item (12)(c),(d) and (e), which he said were the projects approved, the list of projects funded and the total dollars funded, were zero. He said that the “big pool” of money that just had to be gotten was at zero. Mr. Atzenhoffer stated that again on this report that he still did not have the total number of building permits year to date with a comparison. President Charlotte A Randolph clarified that Mr. Atzenhoffer wanted that information at every meeting, to which Mr. Atzenhoffer responded yes. He

then briefly explained his reason for wanting the same, saying that the Council had stated that this was the most important reason for doing what had been done. Mr. Atzenhoffer stated that everyone needed to be aware of what had been done. He said that also the best way to find out was to compare the Parish's building permits, saying that he would think that it would be seen that there would be a drop in new construction permits. Mrs. Gretchen Caillouet, Grants and Economic Development clarified that the only thing that was different on the report was that they were currently obtaining the additional requested documents for the State Office of Emergency Preparedness. She stated that there were eight (8) applications because they were divided into acquisition, elevation, reconstruction and that each letter on each of those projects had approximately ten (10) to fifteen (15) items that additional information was wanted on. Mrs. Caillouet stated that she had been working with the two (2) employees in the Office of Emergency Preparedness office as well as someone in Risk Management, adding that they were all working very diligently to get that information.

President Randolph stated that Mr. Sonny Breaux was present.

Mr. Toups asked how many building permits had been issued since the passing of the ABFEs, to which no one stated an answer. Mr. Toups informed everyone that the first permit had been issued on May 22, 2007. President Randolph confirmed that Mr. Toups had stated that the first building permit had been issued the morning of May 22, 2007, to which Mr. Toups stated that the first building permit had been issued the morning of May 22, 2007 at 10:00 a.m., saying that Mr. Rod Babin had finally received his permit. A brief discussion ensued concerning this being about new construction permits. Mr. Toups stated that soil boring testing had held Mr. Babin up from receiving his permit and he then elaborated on the disagreements between Mr. Babin and the Parish permit office, as well as stating the solution to the problem. **Mr. Curole stated that he would look in to the numbers** and added that he had seen different numbers of permits. He said that he was curious as to what step of the process Mr. Toups was speaking about as he had never had anything with regards to one (1) permit being issued since April 1st. A brief discussion ensued between Mr. Toups and Mr. Curole, with Mr. Curole stating that Mr. Toups may be speaking about the first plan review that had come back from South Central Planning, to which Mr. Toups stated yes and that it was the first one (1) in two (2) months. Mr. Curole stated that it was his understanding that the permit office had supplied "bad" information to Mr. Ray Cheramie which he had shared at recent meeting of the Council. Mr. Curole stated that for the month of April that there had been 89 permits given and of those 89 only 13 had gone to South Central Planning for review. He said that of those 13 that had gone to South Central Planning for review there was only one (1) or two (2) that they had ever gotten back for having gone through the plan review. Mr. Curole stated that he knew there were delays in the process. Discussions ensued, **including Mr. Toups requesting that Mr. Curole look into the matter.** President Randolph stated that this dealt with building code issues and discussions ensued. **Mr. Callais stated that he kept getting complaints about permits and the whole process and asked that someone from South Central Planning and the Parish Permit office be present at the next meeting of the Council, that being of June 12, 2007, to answer questions. He voiced that it was a "mess" with building permits at the present time, saying that he did not know the reasons for it but that he would like to have everyone invited at the next meeting of the Council or to have a meeting between the Council and the Administration.** Mr. Curole stated that it was his understanding that a lot of the problems was with the inspection part of it. He then elaborated on the same. Mr. Curole stated that there were also different individuals' interrupting the Building Code, saying that there were different opinions about what was stated. He continued to briefly speak on the matter. **Mr. Curole stated that he would look in to the matter and would get back with something.** He said that he was not sure if it was time to have South Central Planning and the Permit

staff at a Council meeting but that it was time to sit down with them. President Randolph stated that there had been a meeting with them, which she said Mr. Atzenhoffer had attended, with Permits, as well as South Central Planning and Development. She stated that also in this particular legislative session that there were five (5) bills filed to change the Building Codes again. She stated that the Building Code Council was interrupting, insisting or mandating things one way and others were trying to do the same. President Randolph stated so the Permits Department was having difficulty following up on every new twist that was put into this, adding that now the Legislature was looking to change it again. She said that this was very difficult and added that she did not know if any questions could be answered as the answer may change the very next day. Detailed discussions ensued.

A **motion** was made by Mr. Brent Callais to *deviate* from the regular agenda and go into Executive Session, seconded by Mr. Daniel Lorriaine and carried by (9) yeas, (0) nays, (0) absents and (0) abstentions.

A **motion** was made by Mr. Brent Callais, seconded by Mr. Lindel Toups, to enter into Executive Session for the following:

The next item (3) on the agenda was an Executive Session *pertaining to Claim #9168 - Property damage settlement to Entergy and Councilman Michael Delatte.*

The next item (4) on the agenda was an Executive Session *pertaining to Claim #9370 - Property damage settlement to Mr. Michael Abadie.*

Mr. Toups inquired whether the Council had the right to go into executive session if the legal advisor was not present? Mr. Atzenhoffer inquired as to whether the legal advisor, and was then interrupted by Mr. Curole who stated that the Parish Legal Advisor had been advised of the executive session and had basically stated that they had not been involved in the management of either of the suits and therefore felt no reason to be present. Mr. Curole stated that the Parish's Insurance Adjuster was present and had been handling both of the incidents and stated that he felt that the adjuster was the best advice regarding the issues. Chairman Lasseigne voiced that he would not be attending the executive session and would not be taking any action on it but that it was the decision of the Council whether they wanted to go into executive session.

The motion to into executive session **carried** by a vote of (6) yeas, (2) nays, that being of Mr. Mark Atzenhoffer and Dr. Tommy Lasseigne, (0) absent and (1) abstention, that being of Mr. Michael Delatte.

It should be noted for the record that Mr. Sonny Breuax, Ms. Faye Smith, President Randolph and Mr. Cullen Curole were present in the Executive Session regarding Claim #9168 - Property damage settlement to Entergy and Councilman Michael Delatte and that Dr. Tommy Lasseigne and Mr. Mark Atzenhoffer were not in attendance and further that Mr. Michael Delatte abstained on the matter.

It should be noted for the record that Mr. Sonny Breaux, Ms. Faye Smith, President Randolph, Mr. Cullen Curole, Ms. Beverly Arabie, Mr. James Cantrelle and Mr. Michael Delatte

were present in the executive session regarding Claim #9370 - Property damage settlement to Mr. Michael Abadie but that Dr. Tommy Lasseigne and Mr. Mark Atzenhoffer were not in attendance.

A **motion** was made by Mr. Michael Delatte, seconded by Mr. Lindel Toups, to **reconvene** the meeting. The motion **carried** by a vote of (8) yeas, (0) nays, (1) absent, that being of Mr. Brent Callais and (0) abstentions.

Mr. Lindel Toups made a **motion** to approve the resolution requesting that the Lafourche Parish Council approve and authorize the Library to settle claim #9370 for a total of \$9,660.75; to include salvage revenue of \$1,200.00 (attached hereto as Exhibit 2), seconded by Mr. Phillip Gouaux. Mr. Atzenhoffer stated that he would abstain from voting for any item resulting from the executive session. The motion **carried** by a vote of (6) yeas, (0) nays, (0) absents and (3) abstentions, that being of Mr. Mark Atzenhoffer, Dr. Tommy Lasseigne and Mr. Michael Delatte.

Next a **motion** was offered by Mr. Lindel Toups, seconded by Mr. Mark Atzenhoffer to return to the regular agenda. The motion **carried** by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ENGINEERING AND ARCHITECT REPORT(S)

The next item on the agenda was a presentation of planned, presently on going, recently completed or other projects by appropriate engineering firms engaged by the Parish.

The next item (13) on the agenda was reports from JBC/AIA regarding the following:

- a. Discussion of the invoices dated May 2, 2007.
- b. Discussion concerning the contractor of the Bayou Blue, Raceland and Choctaw libraries.
- c. Discussion concerning the bricks at the Raceland Library.
- d. Update on the Lockport, Larose and Thibodaux libraries.

Mr. Joseph Caillouet, JBC/AIA addressed the Council, introducing himself as the architect for the library projects and the health unit project. Mr. Atzenhoffer stated that there were three (3) invoices from May 2, 2007 for what appeared to be additional services for the Six Ward, Bayou Blue and Raceland libraries. He stated that there was no supporting information for the invoices but that it said additional services. Mr. Toups inquired as to whether the Council had received the invoices in the packet to which Chairman Lasseigne stated no. Mr. Caillouet, after reviewing the invoices Mr. Atzenhoffer was speaking of, stated that that they had recapped on the invoices whenever there had been any additional service. He said that typically if there was an additional service it would be spelled out in the invoice. Mr. Caillouet said these particular additional services were on invoices 04, 008 and 011, saying that the current invoice was 015. Mr. Caillouet said so the invoice being spoken of had no additional services. Mr. Atzenhoffer stated that he was trying to understand how the Parish was still getting an invoice for a project that had been done for a few months? Mr. Caillouet stated that what he thought had happened was that they had not billed for several months until a completion. He said that now the project was completed they had gone ahead and billed the last 5% or 10% of the bill. A brief discussion ensued. Mr. Caillouet stated that what was being seen was the basic compensation was finally at 100% complete. Mr. Toups asked Mr. Atzenhoffer how he had obtained the invoices and the Council had not received them in order to discuss them? Mr. Atzenhoffer stated because he had asked for them. A brief discussion ensued between Mr. Toups

and Mr. Atzenhoffer. Mr. Toups stated that he thought that for future meetings if invoices were to be discussed that everyone on the Council should have a copy of it. He voiced that the Council came to the meeting not knowing what was being discussed and that possibly this matter could have been settled before, saying that Mr. Caillouet could have been called and this matter discussed with him. Mr. Toups stated that there were a lot of things on the agendas that could be settled before going into the meeting and that that should be looked at. Mr. Atzenhoffer stated that he could not speak to Mr. Caillouet other than at a public meeting. Mr. Toups stated that the Administration could have spoken to Mr. Caillouet. Ms. Beverly Arabie, Lafourche Parish Library Director, informed the Council that Mr. Atzenhoffer had made a request in writing that he receive all invoices from Mr. Caillouet. She stated so every time she received an invoice she would make a copy and send it to Mr. Atzenhoffer. Mr. Toups voiced that a copy should be sent to everyone on the Council. Mr. Toups continued to speak on the matter. **Detailed discussions ensued, including Mr. Toups stating that he would like to receive a copy of invoices from Ms. Arabie as well.** Mr. Caillouet informed Mr. Toups that when they submitted invoices it would pass through Mr. Brennan Matherne, Mr. Cullen Curole and Mrs. Beverly Arabie, saying there was a review process. He said that the invoices may also go to the library board. Mr. Gouaux voiced that invoices and in general that these matters could be taken care of before the meetings and would speed up the meetings, as well as give more time and consideration to the other items on the agenda. He said that the Council should try and get the information prior to the meetings, saying that if they did not receive it then he would understand putting it on the agenda as a way to bring the matter out. Mr. Gouaux reiterated that the Council should try to get the information through the Administration first. Mr. Brennan Matherne, Department of Parks, Recreation and Public Facilities stated that when something was being put on the agenda that they could have provided copies to them, saying that until the agenda comes out they had no idea what was being discussed. He said that they did not have a way to know what the Council had and did not have. Mr. Brennan Matherne stated that if the councilmen called and asked for the information they could get it to them and that it did not even have to be on the agenda, saying that if there was any type of action that needs to be taken then the information would automatically be provided in a resolution or an ordinance. He said that in the current case it was not really asking them to do anything so they would not provide anything. Chairman Lasseigne voiced his thoughts on the matter. Mr. Michael Matherne inquired about item (13)(b), discussion concerning the contractor of the Bayou Blue, Raceland and Choctaw libraries, asking if an agreement had been come to with the contractor? Mr. Caillouet stated that the contractor for GEN-CON had called him on May 22, 2007 and had advised that he was writing a letter stating GEN-CON's position on the issue to Mr. Caillouet. He stated that the contractor wanted to make sure that all the remedies had been exhausted and went on to say that in the contractor's letter that he would request that there be a meeting held between the Parish's legal representation, the contractor's legal representation, Mr. Caillouet's legal representation and all the parties involved in the issue. Mr. Caillouet stated that he thought that the contractor was trying to get the issue settled before it went into litigation, adding that if nothing was settled then the contractor would take the necessary steps to go toward litigation. Mr. Michael Matherne inquired as to what was the issue, to which Mr. Caillouet explained it had been denial of extensions of time. Mr. Matherne clarified that the issue was extensions of time that had been denied but that the work had been completed, to which Mr. Caillouet agreed. Discussions then began regarding bricks at the Raceland Library. Mr. Atzenhoffer stated that this issue had been in the newspaper and went on to say that the bricks had been "suprlused". He then asked why was the Parish not being given a credit on the bricks or were not

using them elsewhere? Mr. Caillouet stated that he did not know if one got a credit on it versus having just a bid price on the number of bricks. He said that this matter had been spoken of the night of May 21, 2007, saying that Raceland had been the first library built and that he thought that there had been a couple of extra pallets that were sent to Raceland. He explained that when bricks were done that they were done in certain bundles. Mr. Caillouet stated that the Bayou Blue and Six Ward facilities did not have any extra bricks. Discussions then began with regards to the number of pallets of bricks that were “surplused” and possible uses for them. Mr. Caillouet stated that they had put it out for an advertisement for surplus bricks. Discussions then began on the update of the Lockport, Larose and Thibodaux libraries. Mr. Caillouet stated that with regards to the Lockport Library that they continued to move forward with the construction documents. He informed the Council that the Library Board had met the night of May 21, 2007 and had re-confirmed that they were looking at an approximate 9,600 square foot building. Mr. Caillouet stated that the Lockport site package had been advertised on May 23, 2007, May 30, 2007 and June 6, 2007. He said that there was a pre-bid set for the project scheduled for June 20, 2007 at 2:00 p.m. Mr. Caillouet stated that the bid package for the site prep only would take place June 27, 2007 at 2:00 p.m. He said that the Larose facility was scheduled to be bid May 24, 2007 at 2:00 p.m. but that at approximately 4:00 p.m. on May 22, 2007 there had been an inquiry into one of the contractors who had asked for an extension of time. Mr. Caillouet stated that there was some “bumping of heads” between some contractors. He said that he would advise the Council to give him permission or pass something at the present meeting to extend the bid date to May 29, 2007 at 2:00 p.m. Mr. Caillouet stated that would avoid any conflict between the two (2) contractors. He said that there was discussion being had with regards to whether or not the addendum had been issued in a timely manner. Mr. Caillouet went on to say that they had post marked it 72 hours in advance, which he said was called by law. He said that he thought that three (3) of the bidders had received one (1) but that one (1) had not received it. Mr. Caillouet stated that there was also a question as to whether or not faxes were acceptable methods of issuing addendums, mentioning that drawings would be illegible. He again requested that the Council allow him to extend the bid date to May 29, 2007. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Brent Callais to extend the bid date for the Lockport project to May 29, 2007 at 2:00 p.m. in the Administration’s Office. After a brief discussion as to whether a motion was needed or not to extend the bid date and whether extending the bid date to May 29, 2007 would be sufficient, Mr. Brent Callais **removed** his second and Mr. Phillip Gouaux **removed** his motion. Mr. Caillouet stated that he would issue an addendum the morning of May 23, 2007 saying that the bid date had been extended to May 29, 2007, which he said he would mail, fax and hand deliver. Discussions continued on the matter. Mr. Caillouet stated he had received authorization from the Council and the Administration to proceed and they would immediately proceed on the design of the Thibodaux Library. He explained that there had been discussions at that May 21, 2007 Library Board meeting, saying that Ms. Beverly Arabie had a group of approximately four (4) or five (5) individuals who would be assisting in programming and overseeing the design of the project. President Randolph stated that the Notice To Proceed had been given in March and then asked Mr. Caillouet for confirmation of the same. Mr. Caillouet stated that he was not certain but that he had just received his copy from the Administration. President Randolph stated that she believed that at the request of the Library they had asked the Administration to give Mr. Caillouet the Notice To Proceed in March. Mr. Michael Matherne stated that the matter had passed in March.

[Mr. Callais inquired about the Galliano Annex and that the bid date was June 26th.](#) Mr.

Caillouet stated that they would be bidding it on June 26th at 2:00 p.m. with a pre-bid June 19th at 2:00 p.m. Mr. Callais asked if Mr. Caillouet had received any comments from any contractors or if anyone had inquired about the project, to which Mr. Caillouet stated that he would hope and that it was currently being advertised. Mr. Callais asked if anyone had contacted Mr. Caillouet yet, to which Mr. Caillouet stated no, saying that it had only started to be advertised on May 21, 2007. Mr. Caillouet continued to briefly speak on the matter.

[Mr. Edmond Cheramie, Cheramie Bruce Architects, next addressed the Council and began by reporting on the Ferd Block Building.](#) He stated that there had been a meeting on May 21, 2007 with the District Attorney's staff and the contractor. Mr. Cheramie stated that the building was very near completion and that the District Attorney's Office had started receiving delivery of furniture and system furniture panels that were being installed. He said that the fire marshal inspection would be on May 30, 2007, adding that they would probably have a substantial completion inspection on May 29, 2007 in preparation for the fire marshal's review. Mr. Cheramie informed the Council that on the May 22, 2007 Lafourche Parish Council agenda there was Change Order No. 1 in the amount of \$937 and that it was for a change in flooring, saying that it was some old carpet in one of the rooms that they had changed to vinyl tile. He said that he would be coming back to the Council with a second change order with some items, elaborating on the same and mentioning a night deposit box that had been built in and its removal, which he said was \$1,278, adding that it would come before the Council at their next meeting, that being of June 12, 2007. Mr. Cheramie stated that another item that was being looked at was the replacement of some light fixtures. He explained that the intent was that they would re-use existing lights and change the ceiling but added that the lights had did not fit the new ceiling grid. Mr. Cheramie informed the Council that the grids could not be modified because of the type of grids that it was. He said that this was a item that they would be coming to the Council with, adding that it was approximately \$3,300. Mr. Cheramie stated that that should finish out the entire project. He then reported on the Ag Building and stated that there had been a pre-bid conference on May 22, 2007 and stated the number of various types of contractors who attended the meeting. He said that the project bid was on June 7, 2007 at 3:00 p.m. Mr. Toups asked if the roof would be able to be saved, to which Mr. Cheramie stated the whole roof would need to be replaced and that the project was a complete roof replacement along with air conditioning. A brief discussion ensued. .

[Mr. Ben Hodson, Picciola & Associates, Inc. reported on the Ward 6 Senior Walking Trail.](#) He stated that the Notice To Proceed had been issued on May 7, 2007 and that the contract completion date was July 5, 2007. Mr. Hodson informed the Council that the contractor had moved on site and then elaborated on same, saying he had done some initial layout. He stated that the contractor was scheduled to start construction later in the week of May 21, 2007. Chairman Lasseigne voiced in detail his concerns that work had not been done in the last two (2) weeks. Mr. Hodson said that the contractor had been advised that he had to finish the project on time.

[Mr. Larry Picciola next reported on projects in Road Sales District Nos. 3, 5 and 6.](#) (Attached hereto as Exhibit 3) Mr. Atzenhoffer inquired as to projects 3H and 3J, stating that with regards to the project 3H the work had already been paid for. He asked why was there no status on the project, stating that the work had already been done and it should be able to go to bid? Mr. Picciola stated that it was his understanding that the engineer was working on project 5F and would then probably be going to Meadowlands, adding that only a certain size staff was had. Mr. Atzenhoffer stated that his next question was project 3J, saying that it had been a month longer. Mr. Picciola stated that based on the engineer's staff it would be a while before some of the projects would be complete to get them to bid. Mr. Toups inquired about project 3G, and asked how the

project could have come in at more than double of what it had projected to costs? Mr. Picciola voiced what he thought had happened was that more panels were scheduled for replacement. Mr. Toups asked if all four (4) streets were involved, to which Mr. Picciola stated that it was all four (4) streets, but that he thought that the bulk of the project was Fantastic Acres. Mr. Toups asked how the amount had increased so much, to which Mr. Picciola stated that they would come closer to budget, saying that he thought that they could cut \$150,000 out of the amount and get it closer to budget. He said that he would think it sufficient to move forward with the project. Mr. Toups then asked Mr. Picciola if he agreed that cement streets were better than a blacktopped street, to which Mr. Picciola stated absolutely. Mr. Toups then asked how old Fantastic Acres was, and Mr. Toups stated that it was fairly old and then continued to elaborate on the matter. A detailed discussion then began regarding Fantastic Acres and the requirements of the past and present regarding cement streets, as well as concrete streets versus blacktopped streets. Mr. Toups stated that the people of Fantastic Acres had been told that cementing would start in March of 2007 and that now it was being said the bids were not in yet and that they were coming in over bid. He said that Mr. Picciola was stating that by May, at which point Mr. Picciola stated by the June 12, 2007 meeting they would have a recommendation where they would have pulled back enough where it could be accepted and would have a change order before the Council. Mr. Gouaux recalled that Mr. Picciola had previously stated that there were staffing problems with projects 3H and 3J and then asked if that would not cost the Parish more due to the waiting and the rising costs of inflation? He said that Mr. Picciola had also previously mentioned that one of the contractors was in need of work and then asked if by contract if the Parish was committed to the contractor with the staffing issue for the project or whether the Parish could deviate from the contract due to lack of performance and give the project to the engineer who was looking for work? Mr. Picciola stated that the Parish had the engineer under contract for the projects and further that he thought they were part of the settlement with the engineer. Mr. Gouaux asked what kind of recourse was had by the Parish if the projects went on a year from the present? President Randolph stated that Mr. Atzenhoffer had suggested some time back that they look at the Planning Commission and perhaps the concrete streets and insist on some sort of warranty on them. She said that if the Parish was going to require a certain thickness it was perhaps prudent for the Parish to look at it now. President Randolph stated that Mr. Toups was concerned about the future of the streets and stated that it was probably time to say that if someone was going to produce a product that the Parish was going to have to maintain in the future then the criteria for doing it should be given. She said that maybe this was something they would sit down and look at and discuss some ideas to present to the Council and the Planning Commission so that the Parish would not have the problems in the future. Mr. Toups stated that President Randolph was correct and added that they had inspected some new cement streets where four (4) and five (5) panels were out. He asked how many panels were being missed that would be bad in the future? Mr. Picciola stated that some may be bad but that some of the panels may last ten (10) years. A detailed discussion ensued. Mr. Lorraine voiced his reasons for stating that subdivision ordinances had changed several times and had gotten better. He stated that Fantastic Acres had been built prior to the subdivision regulations being changed. Discussions ensued. Chairman Lasseigne mentioned project 5E saying that the low bid had been approximately \$373,000 and then asked how that was relative to the budget proposed? Mr. Picciola stated that he thought it was approximately \$40,000 over what had been projected. Chairman Lasseigne then asked when Mr. Picciola thought Lefort Bypass may go to bid, to which Mr. Picciola stated that he thought it would be dependent upon the right-of-way, saying that if the right-of-way problem was solved to straighten out the curve then he thought it would be fairly soon.

Chairman Lasseigne stated if that meant possibly in August, to which Mr. Picciola stated that he thought it could be done in August if the right-of-way problem was solved. Mr. Callais then voiced in detail problems being incurred in his district with concrete streets and the problems being had. **He stated that he would recommend to the Administration that the Parish look at getting an engineer to go out and do a separate package just for the concrete streets.** Mr. Callais stated that he had twelve (12) concrete streets in his district and then commented on the numbers of concrete streets had by Mr. Lorraine and Mr. Gouaux. **He said that there were serious problems being had with cracking of the streets, so that if a separate contract could be done or if an engineer could go look at it, it would be greatly appreciated.** President Randolph advised Mr. Callais to forward the information to them.

LEGAL ADVISOR REPORT

[The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor.](#)

The legal advisor was not present.

A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer to open the Public Hearing and Ordinances for Ratification, and *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

[The next item \(14\) on the agenda was an ordinance requesting the placement of additional Speed Limit, Children at Play, and Speed Checked by Radar signs be erected on West 217th Street in accordance with Ordinance No. 1123 which established a fifteen \(15\) miles per hour speed limit on West 217th Street, Ward \(10\), District \(9\), Parish of Lafourche, State of Louisiana and providing penalties for the violations thereof.](#) Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4057 ADDITIONAL SINGAGE; WEST 217TH STREET

[The next item \(15\) on the agenda was an ordinance approving the Servitude Agreement between Keith Crosby, Ruth Townsley Crosby, Mary Lou Mejia Townsley, Kenneth Mejia and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement.](#) Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4058 SERVITUDE; CROBSY/TOWNSLEY/MEJIA

[The next item \(16\) on the agenda was an ordinance accepting the Subdivision known as the A 0.4691 Acre Tract of Land Carved out of Property belonging to Linda Adams, et al into the Parish system.](#) Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4059 ACCEPT; CARVED OUT PROPERTY; LINDA ADAMS, ET AL

The next item (17) on the agenda was an ordinance accepting the Subdivision known as the A Portion of Tract F into Lots 1 and 2 of Tract F for William Constant into the Parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4060 ACCEPT; LOTS 1 & 2 OF TRACT F FOR WILLIAM CONSTANT

The next item (18) on the agenda was an ordinance accepting the Subdivision known as the Rodney Daigle, A Revision of Lot Lines of the Rene Leblanc Subdivision into the Parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Lindel Toups and seconded by Mr. Phillip Gouaux. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4061 ACCCPET; REVISION OF LOT LINES, RENE LEBLANC SUBD.

The next item (19) on the agenda was an ordinance accepting the Subdivision known as the Ram Esponge Subdivision into the Parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Callais asked Mr. Ray Cheramie about the obtaining of a right of way and asked for an update on the same. Mr. Cheramie stated that it had been being worked on by a parish employee and also mentioned that the employee had been also been working on a number of other right-of-ways. A brief discussion ensued. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4062 ACCEPT; RAM ESPONGE SUBDIVISION

The next item (20) on the agenda was an ordinance accepting the Subdivision known as the 2 P's Farm into the Parish system. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4063 ACCEPT; 2 P'S FARM SUBDIVISION

The next item (21) on the agenda was an ordinance to provide for 2007 Supplemental Appropriation Number Seven (7) for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget to Recreation District carry forwards and new needs as provided for by Article VI of the Lafourche Parish Home Rule Charter. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4064 SUPPLEMENTAL APPROPRIATION NO. 7

The next item (22) on the agenda was an ordinance to provide for 2007 Supplemental Appropriation Number Eight (8) for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget to address Grantor changes within the Community Action Fund as provided for by Article VI of the Lafourche Parish Home Rule Charter. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4065 SUPPLEMENTAL APPROPRIATION NO. 8

The next item (23) on the agenda was an ordinance to provide for 2007 Supplemental Appropriation Number Nine (9) for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget to address needs as provided for by Article VI of the Lafourche Parish Home Rule Charter. Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Brent Callais offered an amendment as follows:

Part I – 2007 Operations and Maintenance Budget

FUND 104 DRAINAGE

To fund the Lower Cutoff Elementary Drainage Project

1. an increase in TRANSFERS IN – 108 in the amount of \$50,000
2. an increase in TRANSFERS OUT – 299 in the amount of \$50,000

To fund costs associated with Parr Pump Station

1. an increase in TRANSFERS IN – 108 in the amount of \$20,000
2. an increase in TRANSFERS OUT – 299 in the amount of \$20,000

FUND 106 ROAD SALES TAX DISTRICT 2

To address the transfer out to Fund 201 omitted in Ordinance 4008

1. an increase in TRANSFERS OUT in the amount of \$1,350,000

FUND 108 ROYALTY

To reinstitute a portion of the funding of the Theriot Lock Project in 2007

1. an increase in TRANSFERS OUT – 181 in the amount of ~~\$500,000~~ \$430,000

To fund the Lower Cutoff Elementary Drainage Project

1. an increase in TRANSFERS OUT – 104 in the amount of \$50,000

To fund costs associated with the Parr Pump Station

1. an increase in TRANSFERS OUT – 104 in the amount of \$20,000

FUND 181 COASTAL ZONE MANAGEMENT

To record decrease in interfund transfers per Appropriation 3 and adjust for the reinstatement of a portion of the Theriot Lock Project in 2007

1. a decrease in TRANSFERS IN – 108 in the amount of ~~\$750,000~~ \$820,000
(~~\$1,250,000 less \$500,000~~ \$430,000 reinstated)
2. a decrease in TRANSFERS OUT – 299 in the amount of ~~\$750,000~~ \$820,000
(~~\$1,250,000 less \$500,000~~ \$430,000 reinstated)

Part II – 2007 Capital Budget

FUND 299 CAPITAL PROJECTS FUND

To free **Theriot Lock Project** moneys not needed in 2007 per Supplemental Appropriation 3 and to reinstitute a portion

1. a decrease in CAPITAL OUTLAY – PUMP/WATERWAYS in the amount of ~~\$750,000~~ \$820,000 (~~\$1,250,000 less \$500,000~~ \$430,000 reinstated)
2. an increase in TRANSFERS IN – 181 in the amount of ~~\$500,000~~ \$430,000

To fund urgent repairs on **Cote Blanche Bridge** per Supplemental Appropriation 3

1. an increase in CAPITAL OUTLAY – INFRASTRUCTURE in the amount of \$750,000

To fund the Lower Cutoff Elementary Drainage Project

1. an increase in TRANSFERS IN – 104 in the amount of \$50,000
2. an increase in CAPITAL OUTLAY in the amount of \$50,000

To fund costs associated with Parr Pump Station

1. an increase in TRANSFERS IN – 104 in the amount of \$20,000
1. an increase in CAPITAL OUTLAY in the amount of \$20,000

seconded by Mr. Phillip Gouaux. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions. The motion as amended *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4066 SUPPLEMENTAL APPROPRIATION NO. 9

[The next item \(24\) on the agenda was an ordinance levying and imposing Taxes for 2007 on all the property subject to taxation in the Parish of Lafourche.](#) Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine. Mr. Mark Atzenhoffer offered an amendment to correct a millage rate for District 1 as it should be 4.32 instead of 4.77. Chairman Lasseigne stated that it would stay at the adjusted maximum instead of going up to the maximum authorized amount, to which Mr. Atzenhoffer stated that was correct. The amendment was second by Mr. Daniel Lorraine. The motion **carried unanimously** by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions. The motion as amended **carried unanimously** by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4067 LEVY/IMPOSE TAXES FOR 2007

[The next item \(25\) on the agenda was an ordinance creating a Heros Monument Commission within the Parish of Lafourche, State of Louisiana, which Heros Monument Commission shall comprise and embrace all of that territory contained outside the boundaries of Police Jury Ward No. 10 of the Parish of Lafourche, State of Louisiana, as said boundaries are presently constituted.](#) Chairman Lasseigne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Lasseigne moved for a motion. Mr. Gouaux reiterated his concerns which he had voiced at the previous meeting of the Council regarding his liking to see if something could be done to combine South Lafourche into North Lafourche so that there could be one district that would honor the entire heroes and not just Veterans. He continued to speak on the matter. Mr. Lorraine advised Mr. Gouaux that Senate Bill 79 had been passed which he said had created a Veterans Memorial Board and that the Board had brought to their attention that they will take care of that and would have a place for fireman, police officers but that they would have to pay for what ever was decided to use. He said that a place would be had and that under the Senate Bill that the Board was responsible for giving an audit report to the Council annually and report to the Council their finances. Mr. Lorraine stated that if the Board wanted to increase their millage they had to come before the Council. He continued to briefly speak. Mr. Gouaux voiced that he was not trying to make them do anything but that this issue was of a concern to him and that he thought the Parish to be one parish and needed to look at the parish as one, especially he said when it came to heroes and veterans. Mr. Callais clarified that this was the entire Parish excluding what was currently in the Veterans' Memorial District "down the bayou". He then clarified that if they wanted to pass taxes the Council's approval would be needed, to which Mr. Matherne stated that was right. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Michael Delatte. The motion **carried unanimously** by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

ORD. NO. 4068 CREATE HEROS MONUMENT COMMISSION

Next, a **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer to **close** the Public Hearing and Ordinances for Ratification and **carried unanimously** by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

PROPOSED ORDINANCES

[The next item \(26\) on the agenda was a proposed ordinance amending Ordinance No. 3441: Lafourche Parish School Board lease of property to the Lafourche Parish Public Library; correcting](#)

Section 1 - Ordinance lease amount from \$1.00 per year to \$10.00 per year as stipulated in the lease. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMEND ORD. NO. 3441; LEASE AMOUNT

The next item (27) on the agenda was a proposed ordinance amending Ordinance No. 1621 to reduce the Twenty (20) miles per hour speed limit to Fifteen (15) miles per hour on Coteau Lane, Ward (6), District (2), Parish of Lafourche, State of Louisiana; providing for the placement of Speed Limit, Speed Checked by Radar, and Children at Play Signs; and providing penalties for the violations thereof. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE REDUCE SPEED LIMIT; COTEAU LANE

The next item (28) on the agenda was a proposed ordinance to provide for 2007 Supplemental Appropriation Number Thirteen (13) for the 2007 Operations and Maintenance Budget and the 2007 Capital Budget to purchase a vehicle for the Recreation Department as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance. Chairman Lasseigne stated that there was a substitute ordinance which had been provided to the Council in their packet and that it would be the one being proposed.

PROPOSED ORDINANCE SUPPLEMENTAL APPROPRIATION NO. 13

The next item (29) on the agenda was a proposed ordinance amending and re-enacting (Ordinance No. 4037) Sections 15:82(A)(1) and (E) of Sub-Chapter "E" of Chapter 15 of the Lafourche Parish Code of Ordinances relative to barriers across man-made canals and natural waterways; permitting requirements. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE BARRIERS ACROSS WATERWAYS; PERMITS

The next item (30) on the agenda was a proposed ordinance removing item "D" and amending and re-enacting item "E" under Section 9:100 of Sub-Chapter "C", Nuisance Abatement, of Chapter 9 of the Code of the Ordinances for the Lafourche Parish Council as it pertains to littering prohibited. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMEND NUISNANCE ABATEMENT; LITTERING

RESOLUTIONS

The next item (31) on the agenda was a resolution approving a Contract with Teche Airboats, Inc. for Inspection Services of Seismic Exchange Work in and for the sum of \$150.00 per day. This item was withdrawn and a brief discussion ensued on the matter.

RESOLUTION WITHDRAWN

The next item (32) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not the Lafourche Parish Council was in violation of Louisiana Revised Statute 33:1236, Sub-Chapter 38 (B) when it adopted the Advisory Base Flood Elevations (ABFE) Maps. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Michael Matherne asked for an explanation, to which Mr. Atzenhoffer explained in detail that Louisiana Revised Statutes 33:1236, Sub-Chapter 38(B) stated that local governing authorities could adopt base flood elevations maps for purposes of enrollment into the National Flood Protection program only. He said that the Parish was already enrolled in the

National Flood Protection program and that the advisory base flood elevations were not a requirement to get into it so he believed that there had been a violation. Mr. Atzenhoffer stated that he was asking the District Attorney's opinion on this matter. The motion *carried* by a vote of (8) yeas, (1) nay, that being of Mr. Brent Callais, (0) absents and (0) abstentions.

RES. NO. 07-147 D.A. OPINION; VIOLATION OF LA. R.S. 33:1236

The next item (33) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of C-Port, LLC located at 106 9th Street, Port Fourchon, LA and their project, Enterprise Zone Advance Notification #070648-0, to participate in the Louisiana Enterprise Zone Program. A **motion** was made by Mr. Daniel Lorraine and seconded by Mr. Mark Atzenhoffer.

After a brief discussion, Mr. Mark Atzenhoffer offered an amendment to have line 3 read as follows: To REBATE all eligible local sales/use taxes, ~~from the Solid Waste Sales/Use Tax~~, on the purchase of eligible construction materials, machinery and equipment purchased for this project and used by the business **permanently on this site. Road sales/use tax is not eligible for rebate.**, seconded by Mr. Michael Matherne. Mr. Lorraine stated that the Council had adopted some enterprise zones at current meetings of the Council and that Road Sales Tax District 2 had been excluded from collection. He then clarified that Mr. Atzenhoffer now wanted it put in. Mr. Lorraine reiterated that that it had been excluded the last time an enterprise zone was done and would like to exclude it again in the present enterprise zone. Discussions then began as to whether in the current situation if Road Sales Tax District No. 2 was excluded. After a brief discussion, Mr. Mark Atzenhoffer explained that the amendment he had offered was to have Road Sales Tax No. 2 funds to be rebated under the current enterprise zone. A brief discussion ensued and Chairman Lasseigne explained that the proposed amendment was to rebate for road sales tax monies. Mr. Gouaux stated his concerns to deviate from what was usually done in the past because if this was done for one and had not been done for the previous one that the Council may leave itself open for legal action. President Randolph stated that the last enterprise zone done had stated that road sales taxes were not eligible and that had been included in the previous enterprise zone done. She stated that what Mr. Atzenhoffer was asking to do was put the road sales tax back into the resolution. Mr. Lorraine stated that it had been taken out. Mrs. Gretchen Caillouet, Grants and Economic Development, explained that what Mr. Lorraine and President Randolph was stating was accurate, saying that in 2005 they had made just the Solid Waste sales tax eligible but had not put in the line that road sales tax would not be eligible. She said so in the current year they had added that line based on what the Council had previously stated was wanted. Mrs. Caillouet stated that they were trying to clarify the matter more based on the last executive session and other meetings had. Mr. Atzenhoffer stated that the other enterprise zones done had fell under Road Sales Tax District A, except for what had been done by the settlement. Mrs. Caillouet stated that it would not matter, saying that if something was bought in Road Sales Tax District 2 they would be entitled to a rebate by what Mr. Atzenhoffer was stating. Mr. Atzenhoffer stated that was correct and that they had taken road sales tax money out for Road Sales Tax Districts 3,5 and 6 because of the bond indebtedness, which he said they would never have gotten because those districts would always be in debt. He said that Road Sales Tax District No. 2 was always in surplus. Mr. Atzenhoffer stated that he thought that the Parish had a chance to put money back to business and let business put the money back to work. A brief discussion ensued.

Mr. Lorraine recalled the non-asking for the one (1) cent sales tax and the reduction to one-half (1/2) of a cent in 2008. He voiced if the exclusion of Road Sales Tax No. 2 was done prior that it should not be changed, voicing that it seemed that everyone wanted to "tap" into Road Sales Tax District No. 2, saying that after a while the district would not have anything. He continued to briefly speak on the matter. Mr. Lorraine asked that the Council vote down Mr. Atzenhoffer's amendment.

Chairman Lasseigne voiced his feelings on the matter in detail, saying it was a benefit to participate and benefit from the Louisiana Enterprise Zone program and that it was to give businesses an incentive to build and do capital investments in Lafourche Parish. He said that if that incentive was taken away, and then interrupted himself and spoke in detail about the loss of a major contractor in the Parish. Chairman Lasseigne continued to speak on the matter, including stating that if businesses did not build here the taxes would not be gotten. He said that the businesses would not be destroying because they were building, saying that the current project could be a \$20 to \$40 million dollar project and if it went to another area it would be taxes that the Parish would not collect. He continued to speak on the matter in detail. Chairman Lasseigne stated that the he thought the Parish should be pro-business and then elaborated on the same and spoke of the number of people to be employed by the company, the taxes that those employees would pay and homes they would build as well. Chairman Lasseigne spoke at length on the matter. President Randolph stated that the enterprise zone contingencies in Lafourche Parish were very generous, much more generous she said than Terrebonne Parish. She stated that Terrebonne Parish's contingencies were very stringent and required at least 200 job creations before a business qualified for an enterprise zone. President Randolph stated to say that Lafourche Parish was not business friendly, she would disagree as she thought the Parish was very generous when it came to enterprise zones, adding that there were many parishes that did not even accept enterprise zones in their parishes. She stated that she and Mr. Touns had had conversations with a developer very recently about three (3) or four (4) major companies coming into Lafourche Parish. She stated that Lafourche Parish was very business friendly and that she thought that they were doing as much as could be done to make things happen for businesses in Lafourche, and further that she thought that enterprise zones were one to make that happen. Chairman Lasseigne asked how was collecting taxes encouraging the business to come and if it would not entice them more if the Parish did not collect taxes then if it was collected? A detail discussion ensued between President Randolph and Chairman Lasseigne regarding enterprise zones and Mr. Atzenhoffer's amendment. Mr. Atzenhoffer stated that what was being spoken about was to control construction sales taxes and what the Parish would get back was property taxes and then he elaborated on same. He said the sales tax rebate gave businesses another opportunity to employ more people. Mr. Atzenhoffer stated that he was asking that the Council support the issue so the Parish could get at least get out of the way of one (1) business and let them do what they do best. The amendment *carried* by a vote of (8) yeas, (1) nay, that being of Mr. Daniel Lorraine, (0) absents and (0) abstentions. Chairman Lasseigne inquired as to the Finance Department and the School Board receiving copies of all receipts, asking if a can of welding rods were bought would a receipt be needed for every thing? He said that the State did not require them to turn in receipts for under \$15,000. Chairman Lasseigne voiced that the Parish would have "truck loads" of receipts if it was done where all receipts had to be submitted. Mrs. Caillouet stated that that was correct and then stated that the Parish had to do this because anywhere in the State that the business bought they would receive a 4% rebate. She stated what would happen now was that if the Road Sales Tax No. 2 was included they would have to check every receipt to see where the purchases had been made as far as which road sales tax district. Mrs. Caillouet stated that everything would have to be reviewed, adding that everything in the State was statewide but was not so in the Parish's case. She stated that if something was bought in Baton Rouge the Parish did not want to rebate those sales tax dollars but only for what was purchased in Lafourche. Mr. Atzenhoffer stated that request also gave the business a responsibility also, saying that if they did not turn in a receipt they would not receive the rebate. A brief discussion ensued. Mr. Lorraine stated so if a business was to buy something in Road Sales Tax District A it would be deducted from them, to which a response of the school board

having to review it was given by several members. Mrs. Shannon Chiasson, Finance Director, stated that Road Sales Tax District A had debt tied to it and was not eligible. Detailed discussions ensued. The motion as amended *carried* by a vote of (7) yeas, (1) nay, that being of Mr. Daniel Lorraine, (1) absent, that being of Mr. Brent Callais and (0) abstentions.

RES. NO. 07-148 ENTERPRISE ZONE; C-PORT, LLC

The next item (34) on the agenda was a resolution accepting the low bid of Crochet Paving and enter into a contract in and for the amount of Nineteen Thousand Eight Hundred Fifty Dollars and xx/100 (\$19,850.00) for the placement of concrete ramps at the Sanchez Boat Launch; and authorizing the Parish President to sign, execute and administer associated documents. A **motion** was made by Mr. Michael Delatte and seconded by Mr. Michael Matherne. Mr. Toups inquired as to where the money was coming from for this project, to which Mr. Brennan Matherne stated that it was coming out of recreation and that there was a capital outlay line item for \$25,000 for this project. Mr. Atzenhoffer then asked what line item it was in the budget and a brief discussion ensued. The motion *carried unanimously* by a vote of (9) yeas, (0) nay, (0) absents, and (0) abstentions.

RES. NO. 07-149 ACCEPT LOW BID; CROCHET PAVING

The next item (35) on the agenda was a resolution approving a Cooperative Endeavor Agreement with the State of Louisiana Department of Health and Hospitals for the CDC/OPH Mosquito Abatement Grant; and authorizing the Parish President to sign, execute, and administer any and all associated documents. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Phillip Gouaux. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-150 CO-OP AGREEMENT; MOSQUITO ABATEMENT GRANT

The next item (36) on the agenda was a resolution appointing two (2) Commissioners to the Lafourche Parish Fire Protection District No. 3 Board. A motion was made by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Brent Callais **nominated** Mr. Randy Richeaux and Mr. Kim Breaux, seconded by Mr. Daniel Lorraine. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-151 APPOINTMENTS; FIRE PROTECTION DIST. NO. 3 BOARD

The next item (37) on the agenda was a resolution appointing one (1) Commissioner to the Lafourche Parish Fire Protection District No. 9 Board. A **motion** was made by Mr. Lindel Toups and seconded by Mr. Phillip Gouaux. Mr. Lindel Toups **nominated** Mr. Avery Vedros and seconded by Mr. Phillip Gouaux. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-152 APPONTMENT; FIRE PROTECTION DIST. NO. 9 BOARD

The next item (38) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to reduce the speed limit from Fifty (50) miles per hour to Forty (40) miles per hour on the stretch of Louisiana Highway 316 from Big Wheels Truck Stop and Casino to the By-Pass Road located in Gray, Louisiana. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Lindel Toups. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-153 REDUCE SPEED LIMIT; LA. HWY. 316

The next item (39) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to install a traffic control device at the intersection of Louisiana Highway 20 and Louisiana Highway 307 in Chackbay, Ward (6), District (2) of Lafourche

[Parish, State of Louisiana.](#) A **motion** was made by Mr. Michael Delatte and seconded by Mr. Michael Matherne. A brief discussion ensued with Mr. Delatte explaining that there had been several deaths at this intersection of Louisiana Highway 307 and Louisiana Highway 20. He explained that there had been caution lights there but that an accident had taken them down and further that the State had never replaced them, adding that this was his second request that the traffic controls devices be replaced. Mr. Delatte continued to speak on the matter in detail. Discussions ensued. Mr. Phillip Gouaux offered an **amendment** that a copy of the resolution be sent to the Legislative Delegation and seconded by Mr. Michael Delatte. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions. The motion as amended *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-154 DOTD; TRAFFIC CONTROL DEVICE; LA. HWYS. 20 & 307

[The next item \(40\) on the agenda was a resolution authorizing the Parish President of Lafourche to enter into an Agreement with the Louisiana Department of Transportation and Development obligating the Lafourche Parish Government to assume all legal liability for any and all maintenance and operating cost of the Lighting System in the Elevated Louisiana Highway 1 Project.](#) This item was previously discussed via a deviation from the regular agenda.

RES. NO. 07-145 PARISH ASSUME LIABILITY FOR LIGHTING SYSTEM; ELEVATED LA. HWY. 1 PROJECT

[The next item \(41\) on the agenda was a resolution approving Change Order No. 1 to Thomassie Construction, Inc. as an increase in contract price by Nine Hundred Thirty-Seven dollars & xx/100 \(\\$937.00\) for Ferd Block Building Renovations for minor work in project scope; and authorizing the Parish President to sign said change order.](#) A **motion** was made by Mr. Michael Matherne and seconded by Mr. Tyrone Williams. The motion *carried* unanimously by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-155 C.O. NO. 1; FERD BLOCK BUILDING

[The next item \(42\) on the agenda was a resolution approving a Transfer of Appropriation for the purpose of funding the remaining portion of renovations to the Ferd H. Block building; and authorizing the Parish President to sign, execute and administer said transfers.](#) A **motion** was made by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. Mr. Atzenhoffer inquired as to the decrease of operating services in the amount of \$11,600 and stated that they financials received by the Council at the present meeting showed that for Fund 102 Operating Services that \$806,000 had been spent and had been budgeted for \$636,000. He asked how would the Parish take another \$11,000 when it was already \$170,000 over budget. **Mrs. Chiasson stated that she would review the matter and call Mr. Atzenhoffer.** Mr. Atzenhoffer stated that he would like to see this matter deferred. Mr. Brent Callais made a motion to *defer* this item and seconded by Mr. Mark Atzenhoffer. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RESOLUTION DEFERRED

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to *open* a Two-Thirds Agenda. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

TWO-THIRDS AGENDA

[The first item \(1\) on the Two-Thirds agenda was a resolution requesting that the Administration notify Comcast \(formerly AOL/Time Warner\) of Houma that they are in breach of](#)

[their contract by not airing the Lafourche Parish Council Meetings.](#) A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Lindel Toups. Mr. Toups asked why the meetings were not being showed? Chairman Lasseigne stated that he thought that Nicholls State University aired the meetings. President Randolph stated that she had pulled the contract regarding the matter and it clearly stated that they were required to show the meetings. She stated that their excuse was that it was up to the Government to provide them with a tape. Mr. Toups stated that they were being sent the tapes ever meeting by Vision Communication. President Randolph stated that the tapes were being sent to Nicholls State University as well. She stated that there was really no reason that Comcast should not be airing the meetings. Mr. Callais questioned as to why the Parish had to provide a tape, saying that Vision paid someone to come to the meetings and video? A brief discussion ensued. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions. President Randolph and the Council thanked Vision for the copy of the Bicentennial DVD that they have provided to each member of the Council.

RES. NO. 07-156 COMCAST; BREACH OF CONTRACT

[The next item \(2\) on the Two-Thirds agenda was a resolution accepting the low bid of Huey Stockstill, Inc. in the amount of Three Hundred Seventy Three Thousand Seven Hundred Sixty-Five and 16/xx dollars \(\\$373,765.16\) for roadway improvements in Road Sales Tax District 5 – Project 5E; and authorizing the Parish President to sign, execute and administer associated documents.](#) A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-157 ACCEPT LOW BID; RSTD 5, PROJECT 5E

[The next item \(3\) on the Two-Thirds agenda was a resolution hiring Picciola & Associates, Inc as engineers for repairs to the Parr Pump Station and authorize the Parish President to sign, execute and administer associated documents.](#) A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups. A brief discussion ensued regarding this matter pertaining to it being handed out at the meeting and what it was about. Mr. Toups clarified with Mr. Gouaux that the North Lafourche Levee District did not want to use an engineer to do this project. Mr. Gouaux stated that the engineer for the North Lafourche Levee District would do it for \$20,000 and the North Lafourche Levee District wanted the Parish to pay the \$20,000. A brief discussion ensued. Mr. Atzenhoffer asked if anything was had from North Lafourche saying that they would not do it. President Randolph stated in the affirmative and explained what had been the understanding when the situation had first arisen, saying that the Council would be asked for the funds to fix the pump station and that the North Lafourche Levee District would provide \$50,000 for materials which could be re-used on the new pump station. She went on to say that it was their understanding that the North Lafourche Levee District was to pay for the engineering. President Randolph stated that it seemed that there was no record of that and the North Lafourche Levee District was now saying that they would not pay for the engineering which she was why the Council was being come to so quickly and last minute. President Randolph stated that this was something that needed to be done and needed to be done quickly. Mr. Atzenhoffer asked if the District was still putting up the \$50,000, to which President Randolph responded yes. Mr. Delatte asked if the proposed fee would turn into a \$20,000 fee, as it stated “not to exceed \$20,000, adding that he thought the engineering work had been done. A response of no was given by Mr. Gouaux. A brief discussion ensued. Mr. Daniel Lorraine offered an **amendment** to have the North Lafourche Levee district pay one-half of the engineering fee and seconded by Mr. Lindel Toups. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstention. The motion as amended *carried unanimously* by a vote of (8) yeas, (0) nays, (0) absents and (1) abstention, that being of Dr. Tommy Lasseigne.

RES. NO. 07-158 HIRE ENGINEER; PARR PUMP STATION

The next item (4) on the Two-Thirds agenda was a discussion concerning the North Lafourche Levee District and their disregard for the Parish in scheduling meetings at the same time as the regular scheduled Lafourche Parish Council meetings. Mr. Phillip Gouaux stated that he had requested that this matter be put on the agenda because the Council meetings seemed to be conflicting with the North Lafourche Levee District's meetings. He stated that he had already requested that the North Lafourche Levee District not do this simply because he was one of the regulars who attended their meetings as well as Mr. Ray Cheramie, Department of Public Works and Mr. Delatte. Mr. Gouaux stated that it put a strain on them because they could not attend the meetings, hear the discussions or voice their concerns and wants. Mr. Gouaux voiced the he would like to send a resolution to the legal bodies that appointed the board members and ask them to speak to their appointees and request that in cooperation with the Parish that they no longer have meetings on the Council's regularly scheduled meeting days. Mr. Toups asked if that letter would also be sent to the North Lafourche Levee District, to which Mr. Gouaux agreed. Mr. Phillip Gouaux offered a **motion** to notify the political bodies that appointed the members of the North Lafourche Levee District to contact their appointees and ask that the North Lafourche Levee District's not be held on a regularly scheduled Lafourche Parish Council meeting date and seconded by Mr. Lindel Toups. Discussions ensued as to parish boards being mandated to not hold meetings on the days or regularly scheduled Lafourche Parish Council meetings and the board in question being a state board. Mr. Lindel Toups offered an **amendment** to include that copies of the resolution be sent to the chairman and members of the North Lafourche Levee District, seconded by Mr. Michael Delatte. The motion *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions. The motion as amended *carried unanimously* by a vote of (9) yeas, (0) nays, (0) absents and (0) abstentions.

RES. NO. 07-159 NLLD; MEETING SAME TIME AS LPC

The next item (4) on the Two-Thirds agenda was a discussion concerning drainage problems in Waverly. This item was withdrawn.

The next (5) on the agenda was a discussion concerning five (5) trailers below the required elevations in the Leeville area. Mr. Lorraine asked that this matter be deferred to the next meeting of the Council, that being June 12, 2007.

DISCUSSION ITEM DEFERRED TO JUNE 12, 2007 LPC MEETING

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte to *close* the Two-Thirds Agenda and *return* to the regular agenda.

ADJOURNMENT

On **motion** by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Meeting of May 22, 2007 **adjourned** at 7:45 p.m.

TOMMY LASSEIGNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL