

**JUNE 8, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JUNE 8, 2004, AT 7:00 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Parish Council was duly convened as the Governing Authority of said Parish by Mr. Lindel Toups, Chairman, who then stated that the Parish Council was ready for the transaction of business at 7:05 P.M.

Chairman Toups announced that the opening prayer would be led by Council member Mark Atzenhoffer. The Council then recited the Pledge of Allegiance led by Council member Tyrone Williams.

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

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

ABSENT: None

Chairman Toups stated that Mr. Lawrence Mounic was present. Parish President Charlotte A. Randolph was also present.

APPROVAL OF MINUTES

The first item (1) on the agenda was to approve of the minutes of the May 11, 2004, Lafourche Parish Council regular meeting. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte to accept the May 11, 2004 regular meeting minutes. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

**APPROVAL OF MINUTES AND RECOMMENDATIONS OF MAY 25, 2004,
COMMITTEE MEETINGS:**

The next item (2) on the agenda was to approve the minutes and recommendations of the May 25, 2004 Public Works and Solid Waste Committee meeting. A motion was offered by Mr. Mark Atzenhoffer, Chairman of the Public Works and Solid Waste Committee, and seconded by Mr. Phillip Gouaux, to accept the minutes and recommendations of the Public Works and Solid Waste Committee. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the May 25, 2004 Public Works and Solid Waste Committee Meeting are as follows:

**MAY 25, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL PUBLIC WORKS AND SOLID WASTE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, MAY 25, 2004, IMMEDIATELY FOLLOWING THE VETERAN'S MEMORIAL DISTRICT MEETING SCHEDULED TO BEGIN AT 5:30 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Mark Atzenhoffer, Chairman, stated that the Public Works and Solid Waste Committee was ready for the transaction of business at 6:20 P.M. Proceedings of the meeting were called to order with the following:

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

ABSENT: Mr. Tommy Lasseigne

PUBLIC TO ADDRESS THE COMMITTEE

Chairman Atzenhoffer asked if anyone from the public wished to address the Committee. Hearing none, he moved to the next item.

PUBLIC WORKS DIRECTOR'S REPORT

Mr. Ray Cheramie reported that the Parish received new equipment. He also said that they were trying to get as much work done as possibly can before hurricane season, adding that sandbags have been stored. Mr. Cheramie mentioned that all of the equipment is in good shape with the exception of an excavator, which he would like to replace. He then said that three pumps are out. Mr. Daniel Lorraine inquired about a gear that went out on the Galliano bridge. He recommended to the Administration that an extra gear be kept on hand. Mr. Cheramie mentioned that the system is as old as the gear, which costs \$5,000, and that replacing/upgrading the system would probably be best.

MOTIONS

The first item (1) on the agenda was a motion to grant a variance regarding French Turn Subdivision, Addendum No. 4 from having to hard surface the cross streets and only leaving a right-of-way for future access. The Planning Commission did not recommend the variance on the cross streets but did recommend a variance for the cul-de-sac (DEFERRED FROM 05-11-04 COUNCIL MEETING). Mr. Michael St. Martin said that the land could be developed which is why the Planning Commission

recommends that the variance be denied. He also said that if land on the left or right is developed, someone would have to pay for the cross streets, possibly the parish. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Daniel Lorraine, and **carried**, to grant the variance for the cul-de-sac, but not for the cross streets, by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

The next item (2) on the agenda was a motion to submit Crepe Myrtle Place Subdivision, Addendum No. 1 (20) lots, District (2), Ward (1) of Lafourche Parish, to be presented before the May 27, 2004, Planning Commission meeting. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. Mr. Michael St. Martin stated that the subdivision streets and lot size meet the Planning Commission regulations, but there is a question of drainage by the Department of Public Works (DPW). He recommended that DPW get the developer and engineer to resolve the drainage issues. An **amendment** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and **carried** asking the Department of Public Works to look at the drainage in this subdivision and report to this Committee with a recommendation, in addition to the recommendation of the Planning Commission, prior to final Committee approval by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne. The Committee **adopted** the motion as amended by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

DISCUSSIONS

The next item (3) on the agenda was a discussion concerning the Mosquito Abatement Program. Mr. Cullen Curole, Parish Administrator, mentioned that two proposals were given to the Council at the May 11, 2004 meeting, with Mr. Wayne Machado as the low bidder. He announced that the recommendation of the Administration was to proceed with entering into a contract with the low bidder, Mosquito Control, Inc. A **motion** was offered by Mr. Lindel Toups, and seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine mentioned that the parish is not threatened with an epidemic and inquired about the purpose of the Mosquito Abatement Program. Mr. Gouaux relinquished his time to Mr. Wayne Machado, who referred to handouts that were given to the Committee. Mr. Machado referred to practical solutions to mosquito problems and discussed the Mosquito Control Program Proposal for Lafourche Parish (see handouts.) The program is composed of five segments, each discussed in detail: Inspection and Surveillance, Larviciding, Adulticiding, Virus Surveillance, and Virus Suppression. Mr. Machado mentioned that the program was for pest mosquitos as well as virus mosquitos. A discussion ensued concerning the spraying process and public notification. President Randolph stated that the State was offering the parish a \$15,000 grant towards this program, and education on this issue as well. Mr. Machado mentioned that the program included aerial spraying. Mr. Michael Matherne discussed the spraying in the City of Thibodaux. A discussion ensued regarding the exclusion of the City of Thibodaux in the contract, with the exception of the virus surveillance and suppression segment. Another discussion ensued pertaining to the sophisticated equipment that will be used. Next, Mr. Daniel Rodrigue, a retired Chemistry and Biology teacher at South Lafourche High School, mentioned that he previously addressed the Committee with research showing the dangers of pesticide spraying and then distributed handouts of newspaper articles warning of these dangers, which he discussed. He spoke in opposition to spraying for mosquitoes. Mr. Machado responded to the comments made by Mr. Rodrigue and discussed different pesticides. A lengthy discussion ensued. Mr. Machado informed Mr. Toups that Mosquito Control, Inc. had never been sued by Jefferson Parish. Next, a discussion ensued regarding liability and insurance. Mr. Machado explained the life cycle of a mosquito to be six weeks, at the request of Mr. Gouaux. Mrs. Joy Secura adamantly opposed any type of aerial spraying and

suggested that an environmentally friendly option be used for safety reasons. Mr. Curole mentioned that Mr. Greg Serigny helped to put together the proposal and stated that the Administration supports the recommended program. The Committee *approved* the motion to accept the Mosquito Abatement Control Contract with Mosquito Control, Inc. by a vote of seven (7) yeas, one (1) nay, being that of Mr. Daniel Lorraine, and one (1) absent, being that of Mr. Tommy Lasseigne.

The next item (4) on the agenda was a discussion concerning what streets should be recommended to the Department of Transportation and Development for consideration in the Highway Exchange Program. Chairman Atzenhoffer requested that each Councilman state whether or not they wanted the street located in their Councilmatic district to be accepted in the Highway Exchange Program. Mr. Cullen Curole mentioned that the Louisiana Department of Transportation and Development compiled the list, which was a suggestion of streets for the Parish to consider. He added that the Parish only needs to accept 33.4 lane miles into the Parish System in exchange for a portion of 3245 in Larose, but said that 10 miles are needed for a section of road from Leeville to Fourchon. President Randolph said that the Council was presented with the same list that was given to the Administration by the State and that the Council did not have to accept any street they did not want to. Discussion ensued regarding what streets should be accepted. Mr. Gouaux said that he would like to accept the service street in Larose and the road from the T-Bois Bridge to Highway 308, which were not included in the original list. He then mentioned that any street accepted into the parish system must be brought to standard by the State. Mr. Curole stated that the streets that the Council would choose to accept into the parish system will be done so through a resolution. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux, and *carried* requesting the Administration and Council members to ride the roads to check the traffic and come back with a recommendation at the pleasure of the Administration.

The next item (5) on the agenda was a discussion concerning drainage problems. Mr. Lindel Toups referred to a letter from the Sugarland Civic Association. He mentioned that a grant was in the works and that the Parish had funds to match the grant. He asked if any in-house drainage work could begin in the subdivisions that comprise the Sugarland Civic Association. Mr. Cheramie said that the parish wants to avoid doing duplicate work of what will be done through the grant but agreed to go through the list to see what work could be done before the grant is officially approved. Mr. Norman Duplantis thanked the parish for addressing the issues in the area and mentioned that the grant would only cover half of the work being requested. Mr. Joe Picciola gave an update on the status of the grant.

The next item (6) on the agenda was a discussion concerning entering into a contract for a Parish Monitor to monitor pipeline construction activities and other related industrial development in Lafourche Parish (DEFERRED FROM 05-11-04 LPC MEETING). Mr. Phillip Gouaux referred to a discussion from the May 11th Council meeting regarding the qualifications of a Parish Monitor. He relinquished his time to Mr. Max Acosta, who owns an inspection company. Mr. Acosta described qualifications necessary for the tasks of a Parish Monitor. Mr. Gouaux further discussed the qualifications. He added that an amendment with the qualifications would be brought up at the full Council meeting. Mr. Gouaux clarified that it is in the form an ordinance, and that the contract will be between the inspection company and the parish. He added that the ordinance would dictate by permit that the oil company would be responsible for payment. Mr. Toups said that the ordinance should indicate that the pipeline workers must have a monitor approved by the Parish Council. A discussion ensued regarding inspections, salary, and the jurisdiction of Coastal Zone Management.

RESOLUTIONS

The next item (7) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to install the proper hospital signs at the intersection of Louisiana Highway 1 and Bowie Road, Thibodaux, acknowledging the direction of the hospital. A motion was offered by Mr. Michael Matherne and seconded by Mr. Brent Callais. The Committee *recommended approval* to the Council said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-037 DOTD HOSPITAL SIGNS HWY 1 & BOWIE RD

The next item (8) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to mark the curve from 1148 to 1172 Highway 316 (Bayou Blue Road) with reflective signs and new markings on the roadway; and to install "Dangerous Curve Ahead" signs. A motion was offered by Mr. Brent Callais and seconded by Mr. Mike Delatte. President Randolph mentioned that DOTD was aware of the situation. The Committee *recommended approval* to the Council said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-038 DOTD HWY 316 DANGEROUS CURVE SIGNS

The next item (9) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to address the drainage problems in the vicinity of 3618 Highway 1, Raceland, Lafourche Parish. A motion was offered by Mr. Michael Matherne and seconded by Mr. Brent Callais. The Committee *recommended approval* to the Council said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-039 DOTD DRAINAGE PROBLEMS HWY 1 RACELAND

The next item (10) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to install "No Parking Here To Corner" signs at 3916 Highway 1 at the intersection of Greenville and Highway 1 and to include yellow ground striping. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Brent Callais. Mr. Vernon Foret said that the area being discussed is a parking area for a doctor's office, saying that by putting limitations on parking may hamper the doctor's ability to conduct business. Chairman Atzenhoffer explained that the area has a building close to the corner, which impedes the vision of the corner. He added that the doctor is agreeable with the placement of the signs, which may only take up two parking spaces. The Committee *recommended approval* to the Council said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-040 DOTD HWY 1 & GREENVILLE NO PARKING

OTHER BUSINESS

The next item on the agenda was any other business. There was no other business to be addressed.

ADJOURN

On motion by Mr. Michael Matherne, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee of May 25, 2004, adjourned at 7:40 pm.

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

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

The next item (3) on the agenda was to approve the minutes and recommendations of the May 25, 2004, Board of Appointment and Permits Committee meeting. A motion was offered by Mr. Michael Matherne, Chairman of the Board of Appointment and Permits Committee, and seconded by Mr. Brent Calais to accept the minutes and recommendations of the Board of Appointment and Permits Committee meeting. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the May 25, 2004 Board of Appointments and Permits Committee Meeting are as follows:

**MAY 25, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL BOARD OF APPOINTMENTS AND PERMITS COMMITTEE WAS SCHEDULED TO MEET ON TUESDAY, MAY 25, 2004, IMMEDIATELY FOLLOWING THE PUBLIC WORKS & SOLID WASTE COMMITTEE MEETING TO BE HELD IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND LOUISIANA.

Mr. Michael Matherne, Chairman, stated that the Board of Appointments and Permits Committee were ready for the transaction of business following the close of the Public Works & Solid Waste Committee meeting. Proceedings of the meeting were called to order at 7:54 P.M. with the following:

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

ABSENT: Mr. Tommy Lasseigne

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning the procedure to abolish parish boards. Mr. Brent Callais said that included in the packet was a sample ordinance for introduction which would abolish eleven parish boards, which either does not meet any longer or does not have any outstanding bank accounts or indebtedness. None of the Councilmen had a problem with any of the boards listed being abolished. Mr. Callais said that he would be introducing an Ordinance at the next Council meeting.

APPOINTMENTS

The next item (2) on the agenda was a motion to appoint Mr. Kearney L. Toups, Sr. to the Lafourche Parish Fire Protection District No. 9 (Gheens). A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. The Committee *recommended the appointment* of

Mr. Kearney L. Toups to the Lafourche Parish Fire Protection District No. 9 Board by a vote of seven (7) yeas, one (1) abstention, being that of Mr. Lindel Toups, and one (1) absent, being that of Mr. Tommy Lasseigne.

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was Public to Address the Committee. Hearing none, Chairman Matherne entertained a motion to adjourn.

ADJOURN

On motion by Mr. Brent Callais, seconded by Mr. Lindel Toups, and with no further business, the Lafourche Parish Council Board of Appointments and Permit Committee of May 25, 2004, adjourned at 7:57 P.M.

**MICHAEL MATHERNE, CHAIRMAN
BOARD OF APPOINTMENTS AND
PERMITS COMMITTEE**

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

The next item (4) on the agenda was to approve the minutes and recommendations of the May 25, 2004, Finance and Legislative Committee meeting. A motion was offered by Mr. Tommy Lasseigne, Chairman of the Finance and Legislative Committee, and seconded by Tommy Lasseigne to accept the minutes and recommendations of the Finance and Legislative Committee meeting. Mr. Lasseigne noted that a correction needed to be made on page 1 of the minutes so that it reads that Mr. Phillip Gouaux called the meeting to order. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the May 25, 2004 Finance and Legislative Committee Meeting are as follows:

**MAY 25, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

**THE LAFOURCHE PARISH COUNCIL FINANCE & LEGISLATIVE COMMITTEE,
PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY,
MAY 25, 2004, IMMEDIATELY FOLLOWING THE BOARD OF APPOINTMENTS AND
PERMITS COMMITTEE MEETING, IN THE COUNCIL MEETING ROOM AT THE
LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100,
RACELAND, LOUISIANA.**

Mr. Phillip Gouaux, Co-Chairman, stated that the Finance and Legislative Committee was ready for the transaction of business following the Board of Appointments and Permits Committee. Proceedings of the meeting were called to order at 7:57 p.m. with the following:

PRESENT: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Mr. Mark Atzenhoffer

Mr. Lindel Toups
Mr. L. Phillip Gouaux, II–Co-Chairman
Mr. Brent Callais
Mr. Daniel Lorraine
ABSENT: Mr. Tommy Lasseigne–Chairman

PRESENTATIONS

The first item (1) on the agenda was a presentation by Ms. Debra Gautreaux regarding Ambulance Service District No. 1 (Ward 10). The presentation was given by Mr. Brady Daigle, who gave a brief history on Ambulance Service District No. 1 (Ward 10). He commented on the following: the area the District covers, the effectiveness of the paramedic ambulances, substation locations, service responses, who the District answers to, employment, regulations, employee training, billing department, equipment purchases, vehicle conditions, ownership of substations, worth of operation centers, and dispatchers. He mentioned that this district is a non-profit organization with a sole purpose to provide ambulance transportation, adding that it is locally based and parish owned. Mr. Daigle then listed events which they are on stand-by for. He discussed the education program used to train high school EMT's. Mr. Daigle stated that Ambulance Service District No. 1, given the appropriate amount of time, is capable and willing to extend its coverage area to supply ambulance service to the entire parish. Mr. Toups mentioned that this Ambulance District is funded through a millage and Medicare/Medicaid. A discussion ensued regarding residents who use the service but cannot afford to pay the bill. Mrs. Debra Gautreaux explained the Medicaid process. A discussion ensued regarding helicopter transportation. Mr. Mark Atzenhoffer announced that last week was National EMT Week and recognized all members of the EMS Community and Volunteer Fire Departments.

DISCUSSIONS

The next item (2) on the agenda was a discussion concerning Attorney General opinions. Co-Chairman Gouaux announced that this item was being *deferred*.

The next item (3) on the agenda was a discussion regarding deleting the request for an Attorney General's opinion from Resolution No. 04-036 and only request an opinion regarding whether or not the Lafourche Parish Council can assume the duties of the Lafourche Parish Library Board of Control from the Lafourche Parish District Attorney. Mr. Mark Atzenhoffer stated that this item should be a motion instead. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. Mr. Daniel Lorraine read a letter, dated May 12, 2004, addressed to the Council Chairman from the District Attorney. Mr. Atzenhoffer said that in hopes of removing the opinion from the Attorney General, that the District Attorney, who is the Council's legal advisor, would render his opinion. A discussion ensued regarding legal opinions. Mr. Toups said that the District Attorney agreed to issue an opinion, if the opinion from the Attorney General was removed from the resolution. He then discussed taking over the duties of the Library Board, saying that instead of removing the entire board, only remove those members not doing their job. A vote was taken as follows:

YEAS: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. L. Phillip Gouaux, II
Mr. Brent Callais

NAYS: Mr. Michael Matherne
Mr. Daniel Lorraine

ABSENT: Mr. Tommy Lasseigne

The Committee **approved** the motion to delete the request for an Attorney General's opinion from Resolution No. 04-036 and only request an opinion regarding whether or not the Lafourche Parish Council can assume the duties of the Lafourche Parish Library Board of Control from the Lafourche Parish District Attorney.

The next item (4) on the agenda was a discussion concerning the selling of seafood on the side of roads in Lafourche Parish. Mr. Mark Atzenhoffer inquired about the legality of this issue. He stated that to be fair, all people who sell shrimp on roadsides should follow the same regulations, such as using certified scales, paying taxes and fees, and having permits. Mr. Dwayne LeBoeuf mentioned that he receives complaints from people who have food stands. He said that the parish does have an ordinance, but it does not distinguish between someone selling fruits/vegetables or shrimp and described a clause within the ordinance. He elaborated on the requirements to sell fruits/vegetables and shrimp, and complaints that arise. Mr. Lorraine referred to an ordinance dealing with peddlers. He said that the Council needs to handle this situation with caution to avoid making the situation worse. Discussion ensued. President Randolph offered to have the Administration research the matter, including Ordinance 2160, for the next Committee meeting.

The next item (5) on the agenda was a discussion concerning the request of proposals for donations of land to build a new Thibodaux Branch and Headquarters building for the Lafourche Parish Library. Mr. Michael Matherne stated that this item should be a motion. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Tyrone Williams. Mr. Michael Matherne referred to the attachment, which contained language that would allow the Library Board some information about what land was available. He said that he did not include an end date but thought that 60 days was appropriate. Mr. Matherne then requested that letters be sent to the Lafourche Parish School Board and Thibodaux City Council including the information. A discussion ensued regarding advertising. An **amendment** was offered by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer to advertise for four weeks with a 60 day deadline and to send letters to the Lafourche Parish School Board and Thibodaux City Council including the proposal information. Mr. Cullen Curole suggested that motion contain "proposals for donations **and/or selling** of land." Mr. Matherne read the proposal, which already included Mr. Curole's suggestion. Mr. Paul Chiquet, Director of the Library, discussed the need for the property to be in the City Limits of Thibodaux. The Committee **approved** the amendment by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne. The Committee **approved** the motion as amended by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

The next item (6) on the agenda was a discussion concerning the By-Laws of the Lafourche Parish Council. Mr. Phillip Gouaux mentioned that the By-laws had not been updated in at least five years or since the Council had changed from a 15 to 9 member boards. He requested that the Council review the By-laws and be ready for discussions at the next Council meeting. Ms. Sharlene Hotard mentioned that the Home Rule Charter revisions will be on the ballot for the November election and suggested that the Council hold off on addressing the By-laws. Mr. Gouaux said that minor modifications need to be made to the By-Laws and after the Home Rule Charter changes are made, the modifications to the By-laws can be made.

The next item (7) on the agenda was a discussion concerning going to two (2) Council meetings per month. Mr. Phillip Gouaux mentioned that the Council agendas have become quite lengthy. He said that the Committees are comprised of all nine Councilmen and suggested eliminating Committee meetings. Mr. Brent Callais recommended moving the time of the Council

meetings from 7:00 p.m. to 6:00 p.m. Mr. Gouaux mentioned that the By-laws state that the Council meetings must begin at 7:00 p.m. Mr. Callais then said that the Committee Chairmen need to be stricter on what items to allow on the agenda. Mr. Gouaux stated that having two full Council meetings would be more appropriate, saying that it would help to save time.

RESOLUTIONS

The next item (8) on the agenda was a resolution urging Louisiana's entire Congressional Delegation to advocate and support Federal Legislation and appropriations bills that increase national funding for LIHEAP and WAP; provide for advance funding of both LIHEAP and WAP; and to study the implications for families in Louisiana if prevented from keeping pace with growing aging populations, poverty rates and natural gas prices. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. The Committee *recommended approval* of said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-041 SUPPORT LIHEAP & WAP FUNDING

The next item (9) on the agenda was a resolution stating the Lafourche Parish Council's endorsement of Corbitt Manufacturing Company, Inc., to be located at the old Caldwell Sugars site to participate in the benefits of the Louisiana Enterprise Zone Program. Mr. Michael Delatte said that the company makes fertilizer and mulch. A motion was offered by Mr. Michael Delatte and seconded by Mr. Daniel Lorraine. The Committee *recommended approval* of said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-042 CORBITT MANUFACTURING CO.

The next item (10) on the agenda was a resolution committing to providing a Pro-active Mosquito Abatement Program for the Parish of Lafourche and requesting a one-time limited funding from the State of Louisiana. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. The Committee *recommended approval* of said resolution by a vote of eight (8) yeas and one (1) absent, being that of Mr. Tommy Lasseigne.

RES. NO. 04-043 MOSQUITO ABATEMENT PROGRAM

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Hearing none, Co-Chairman Gouaux moved to the next item.

OTHER BUSINESS

The next item on the agenda was Other Business to be addressed. No further business needed to be addressed.

ADJOURN

On motion by Mr. Lindel Toups, seconded by Mr. Michael Delatte, and with no further business, the Lafourche Parish Council Legislative and Finance Committee of May 25, 2004, adjourned at 8:49 P.M.

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

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

CHAIRMAN'S REPORT

The next item (5) on the agenda was announcement of guests. Chairman Toups announced that two candidates running for Congress were present. Mr. Charles Melancon, from Napoleonville, introduced himself and briefly discussed his qualifications and his platform. Next, Mrs. Charmaine Degruise Caccioppi, from Raceland, introduced herself and briefly discussed her qualifications and platform.

EXECUTIVE SESSION

The next item (6) on the agenda was a motion to enter into Executive Session to discuss the following matter:

(a) Pending litigation regarding Del-Mar Farm, Inc. Vs. No. 84876 Lafourche Parish Council consolidated with Lafourche Parish Council Vs. No. 84098 Elson M. Delaune, et al, and item (7) on the agenda was a motion to reconvene the meeting and take any necessary action regarding the Executive Session. A motion was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and **carried** to **defer** items (6) and (7) by a vote of nine (9) yeas and zero (0) nays.

PRESIDENT'S REPORT

The next item (8) on the agenda was a presentation of the monthly report on parish finances as required by the Lafourche Parish Home Rule Charter. Mrs. Shannon Chaisson, Finance Director, first acknowledged Mrs. Faye Smith for providing the financial data for the presentation. She added that the Councilmen were also provided with a Balance Sheet and a Statement of Revenues and Expenditures through May 31, 2004. Also included in the packet was detailed documentation of the proposed supplemental appropriations that will address the unmet needs of 2004, adding that the 2004 Budget was not developed by the current Administration, adjustments are necessary to address the needs of the Parish. She then discussed the following topics: the balance of the Union Planters Bank Account, improvement of computer capabilities to monitor account investments online, the \$3 million LAMP investment, audit update, and the new format of financial data. Mr. Tommy Lasseigne mentioned the need for a more advanced computerized system and discussed the decrease in the general sales tax revenue. Mr. Mark Atzenhoffer then commented on sales taxes, saying that generally the end of school causes the decrease but said that the taxes get back to average in July and picks back up in August and September.

PRESENTATIONS

The next item (9) on the agenda was Mr. Mike Hebert, County Agent, to present his annual Cooperative Extension Service Report. Mr. Hebert mentioned that the Council received Extension Services Quarterly Report for January–March and will be receiving April–June. He expressed his gratitude to the Council for their support to the LSU Agriculture Center in Lafourche Parish. He gave a brief history of the LSU Ag Center, saying they work in areas of Agriculture, 4-H, Family and Consumer Sciences, Fisheries, and Horticulture. Mr. Hebert also discussed education programs provided by the agents. He mentioned that Lafourche Parish had the third largest 4-H program in the State. He then discussed agriculture in Lafourche Parish, elaborating on the sugar cane, beef-cattle, and fruit and vegetable industries.

Next, a motion was offered by Mr. Phillip Gouaux, seconded by Mr. Tommy Lasseigne, and **carried**, to **deviate to item (32)** by a vote of nine (9) yeas and zero (0) nays.

Item (32) on the agenda was a resolution authorizing changes in budget notations detailing expenditures in the Drainage Maintenance Fund #104 of the 2004 Maintenance and Operations Budget under the line item "Construction - Pump Stations and Improvements" as follows: Adding a notation for "Pump Station Improvements - Edgar Guidry Pump Station - \$406,000" and increasing

the originally approved dollar amount from "\$50,000 to \$115,000" for the Fantastic Acres Pump Station. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Tommy Lasseigne asked where the funds were coming from. Mr. Cullen Curole explained that funding for the two projects were coming from the Drainage Maintenance Budget, specifically from the culverts, chemical spraying, replacement of Gautreaux Pump Station, and the equipment line items. He added that the funds would accommodate both Edgar Guidry and the addition to Fantastic Acres. Mr. Ray Cheramie discussed why these pump stations had a higher priority, particularly because, after research was done, they took the longest time to pump water out. A discussion ensued regarding about how many homes were effected by the two pumps, which were approximately 350 homes, and also the inches of water each station pumped. Discussions continued about pumps, where they were and where more are needed, and to find money in the budget to place pumps in more threatening flood areas. President Randolph mentioned that priorities are difficult, saying there is no formula, but that drainage issues will be addressed as best as they can be. She discussed methods of funding, which included grants from FEMA and assistance from State and Federal officials to find monies for drainage projects. Mr. Tommy Lasseigne mentioned that nowhere in the budget was funding for the Edgar Guidry Pump Station. Mr. Cheramie began to discuss what was going to be done in each Councilmatic district. Chairman Toups announced the work being done by the Department of Public Works in each area. Mr. Lasseigne pointed out that no work is really being done in the Bayou Blue area. Mr. Phillip Gouaux explained the difference in cost between the two pump stations. A discussion ensued whether or not pumps could be installed this year. Mr. Cheramie mentioned that levees would first have to be built in the Bayou Blue area before pumps could be installed. He then added on to Mr. Gouaux's explanation on the cost difference between the Edgar Guidry and Fantastic Pump Stations. Mr. Daniel Lorraine discussed the issues of right-of-ways, the expropriation of property, and sidewalks. He mentioned that the Ward 10 area only has five pumps and inquired about what work was being done by the North Lafourche Levee District, after commending the South Lafourche Levee District for the work they have done. Mr. Lorraine also explained that this item should be adopted by ordinance, not by resolution. Mr. Cheramie responded to some of Mr. Lorraine's concerns. Mr. Mark Atzenhoffer mentioned that pumps were not asked to be placed at Meadowland and Ozia because the water level at the Hollywood Canal is too high, adding that it was not feasible to build a levee. He agreed with Mr. Lorraine's statement of this item needing to be adopted by ordinance, adding that ordinances could only be amended by an ordinance. Mr. Atzenhoffer spoke in opposition of the resolution. Mr. Curole discussed why a resolution was able to be used, saying that the Parish President could move money within line items of an existing fund without the adoption of an ordinance. He stated that the Administration chose to bring this item, a resolution, before the Council as a courtesy. He mentioned that under the Parish President's report, President Randolph could have made a statement regarding the budget changes for the pump stations. He added that the Administration was looking for the Council's blessing before expending the money and later needing the Council's approval for contracts. A discussion continued regarding line items within the budget. Mr. Toups suggested voting on the two pump stations separately. Mr. Lasseigne responded to comments made by Mr. Curole. Mr. Gouaux asked for the Council's support for this resolution. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to split the resolution into two projects. Mr. Gouaux stated that he did not think the projects could be separated and that the need was just as great in both districts. Mr. Callais *withdrew* his motion and Mr. Atzenhoffer *withdrew* his second. Next, a roll call vote was taken on the original resolution as follows:

YEAS: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne

Mr. Lindel Toups
Mr. Phillip Gouaux
NAYS: Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Brent Callais
Mr. Daniel Lorraine

The Council *adopted* the resolution by a vote of five (5) yeas and four (4) nays.

**RES NO. 04-044 BUDGET NOTATIONS: EDGAR GUIDRY & FANTASTIC ACRES
PUMP STATIONS**

A motion was offered by Mr. Michael Matherne, seconded by Mr. Brent Callais, and *carried* to **return to the original agenda**.

Next, a motion was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and *carried* to **open the Public Hearing section** of the meeting.

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (10) on the agenda was an ordinance establishing a speed limit of fifteen (15) miles per hour on Oak Pointe Road, Ward 4, District 7 of Lafourche Parish; requiring the placement of “Speed Limit”, “Speed Checked by Radar”, and “Caution Children at Play” signs; and providing penalties for the violations thereof. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3439 15 MPH OAK POINT ROAD

The next item (11) on the agenda was an ordinance reducing the speed limit of twenty-five (25) miles per hour to fifteen (15) miles per hour on Ozia Skyline Drive, Ward 11, District 5 of Lafourche Parish; requiring the placement of “Speed Limit”, “Speed Checked by Radar”, and “Caution Children at Play” signs; and providing penalties for the violations thereof. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3440 15 MPH OZIA SKYLINE DRIVE

The next item (12) on the agenda was an ordinance allowing the Lafourche Parish Public Library to accept a lease offer from the Lafourche Parish School Board for a section of property 150' x 250' located next to the Sixth Ward Middle School in Choctaw for fifty (50) years with a fifty (50) year renewal option at a cost of \$1.00 per year in order to construct a permanent building not to exceed \$680,000; and to authorize the signing of all pertinent documents associated with the Ordinance. A motion was offered by Mr. Michael Delatte and seconded by Mr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of seven (7) yeas, zero (0) nays, and two (2) absent at the time of voting, being that of Mr. Mark Atzenhoffer and Mr. Brent Callais.

ORD. NO. 3441 LIBRARY SCHOOL BOARD LEASE-CHACKBAY

The next item (13) on the agenda was an ordinance accepting into the parish system West 3rd Street, Ward 10, District 7 of Lafourche Parish. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent at the time of voting, being that of Mr. Brent Callais.

ORD. NO. 3442 ACCEPT WEST 3RD STREET

The next item (14) on the agenda was an ordinance redistricting the Fire Protection District No. 8 (Ward 6) of the Parish of Lafourche, State of Louisiana, into three (3) separate fire protection

districts, all pursuant to a public hearing held by the Lafourche Parish Council, State of Louisiana, on May 11, 2004. A motion was offered by Mr. Michael Delatte and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The Council *adopted* said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent at the time of voting, being that of Mr. Brent Callais.

ORD. NO. 3443 REDISTRICTING OF FIRE PROTECTION DISTRICT NO. 8

Next, a motion was offered by Mr. Phillip Gouaux, seconded by Mr. Mike Delatte, and *carried* to **close the Public Hearing section** of the meeting.

ORDINANCES FOR INTRODUCTION

The next item (15) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Roz Properties Subdivision”, Ward 10, District 9 of Lafourche Parish. Mr. Daniel Lorraine submitted the ordinance for introduction.

PROPOSED ORDINANCE ROZ PROPERTIES SUBDIVISION

The next item (16) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Re-subdivision of a Portion of the James and Elizabeth McGrew Property”, Ward 3, District 5 of Lafourche Parish. Mr. Mark Atzenhoffer submitted the ordinance for introduction.

**PROPOSED ORDINANCE RE-SUBDIVISION, JAMES AND ELIZABETH
MCGREW PROPERTY**

The next item (17) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Prairie Ridge Subdivision Phase II”, Ward 3, District 5 of Lafourche Parish. Mr. Mark Atzenhoffer submitted the ordinance for introduction.

PROPOSED ORDINANCE PRAIRIE RIDGE SUBDIVISION PHASE II

The next item (18) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Revision of Lot 10A into Lots 10A-1 and 10A-2 being a Portion of Lot 10 of White Rose Plantation Addendum No. 1”, Ward 4, District 5 of Lafourche Parish. Mr. Mark Atzenhoffer submitted the ordinance for introduction.

**PROPOSED ORDINANCE REVISION OF LOT 10A, WHITE ROSE PLANTATION
ADDENDUM NO. 1**

The next item (19) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Lot “A” of the Remainder of Tract “C” being a Lot and Tract of Land Owned by The Legendre Land Corporation”, Ward 1, District 2 of Lafourche Parish. Mr. Michael Delatte submitted the ordinance for introduction.

**PROPOSED ORDINANCE LOT “A” OF THE REMAINDER OF TRACT “C”,
THE LEGENDRE LAND CORPORATION**

The next item (20) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Eugene Chiasson Subdivision”, Ward 10, District 9 of Lafourche Parish. Mr. Daniel Lorraine submitted the ordinance for introduction.

PROPOSED ORDINANCE EUGENE CHIASSON SUBDIVISION

The next item (21) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the “Leopold Perque Subdivision”, Ward 6, District 2 of Lafourche Parish. Mr. Michael Delatte submitted the ordinance for introduction.

PROPOSED ORDINANCE LEOPOLD PERQUE SUBDIVISION

The next item (22) on the agenda was a proposed ordinance to authorize the Parish President to enter into an Act of Cash Sale to acquire property in the facilitation of the BY02 LCDBG Program, Morristown Community Sewer System, Raceland, Louisiana; and to execute any and all documents pertaining to said Act of Cash Sale. Mr. Phillip Gouaux submitted the ordinance for

introduction.

PROPOSED ORDINANCE ACT OF CASH SALE TO ACQUIRE PROPERTY

The next item (23) on the agenda was a proposed ordinance establishing a load limit of five (5) tons and “Light Traffic Only” on Old Safari Heights, Ward 10, District 9 of Lafourche Parish; authorizing the installation of “Load Limit” and “Light Traffic Only” signs; and authorizing the penalties of violators thereof. Mr. Daniel Lorraine submitted the ordinance for introduction.

**PROPOSED ORDINANCE OLD SAFARI HEIGHTS, (5) TON LOAD LIMITS
AND LIGHT TRAFFIC ONLY**

The next item (24) on the agenda was a proposed ordinance amending the Code of Ordinances of the Lafourche Parish Council to state that all Lafourche Parish Council meetings begin at 6:00 p.m. Mr. Daniel Lorraine and Mr. Brent Callais submitted the ordinance for introduction.

**PROPOSED ORDINANCE AMENDING THE CODE OF ORDINANCES, 6:00 P.M.
MEETINGS**

The next item (25) on the agenda was a proposed ordinance making it mandatory for a Parish Monitor to monitor all Oil and Gas Construction and/or Fabrication of oil and gas pipelines, gas compressor station, dredging of oil field canals and any other oil and gas project that shall have an impact on Lafourche Parish. This Parish Monitor will be selected by the Administration and funded by the contractor performing the work; and authorized the Parish resident to sign any and all necessary documents. Mr. Phillip Gouaux submitted the ordinance for introduction.

PROPOSED ORDINANCE PARISH MONITOR RESPONSIBILITIES

The next item (26) on the agenda was a proposed ordinance abolishing Drainage District No. 13, Fisheries Advisory Board, Sewerage District No. 8, Sewerage District No. 9, Coastal Commission of Louisiana, Community Mental Health, South East Louisiana Emergency Medical Council, Emergency Medical Service Council, Government Complex Commission, and Boat Launch Search Committee, and directing all duties and responsibilities of the listed Boards/Agencies be transferred to the Administrative Offices of the Lafourche Parish Government; and to further abolish the South Lafourche Airport District due to the Greater Lafourche Port Commission acquiring the Airport. Mr. Brent Callais submitted the ordinance for introduction.

PROPOSED ORDINANCE ABOLISHING BOARDS/AGENCIES

The next item (27) on the agenda was a proposed ordinance amending Section 17:41, “Stopping, Standing or Parking Prohibited, in Specified Places”, of Sub-Chapter “A” of Chapter 17 of the Code of Ordinances of the Lafourche Parish Council, to prohibit parking directly across from a driveway or within ten (10') feet of the driveway on the same side of the street, to prohibit parking within forty (40') feet of an intersection and on all unimproved shouldered streets; and providing for penalties for violations thereof. Mr. Phillip Gouaux submitted the ordinance for introduction.

**PROPOSED ORDINANCE AMENDING SECTION 17:41, OF SUB-CHAPTER “A”
OF CHAPTER 17**

The next item (28) on the agenda was a proposed ordinance providing for a transfer of appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of the Lafourche Parish Home Rule Charter. Mr. Tommy Lasseigne submitted the ordinance for introduction.

**PROPOSED ORDINANCE TRANSFER OF APPROPRIATION FOR THE 2004
MAINTENANCE AND OPERATIONS BUDGET**

The next item (29) on the agenda was a proposed ordinance amending the Lafourche Parish Code of Ordinances to adopt a modified version of the State Travel Guideline for reimbursement of travel expenses for parish officials and employees. Mr. Michael Matherne submitted the ordinance for introduction.

PROPOSED ORDINANCE REIMBURSEMENT OF TRAVEL EXPENSES

The next item (30) on the agenda was a proposed ordinance accepting into the parish system West 107th Place, Ward 10, District 8 of Lafourche Parish. Mr. Brent Callais submitted the ordinance for introduction.

PROPOSED ORDINANCE

WEST 107TH PLACE

RESOLUTIONS

The next item (31) on the agenda was a resolution authorizing changes in Budget Notations of the 2004 Maintenance and Operations Budget in the Building Maintenance Fund #102 under the line item of Renovations as follows: Deleting reference to "Old Galliano Annex - \$50,000" and replacing it with "Detention Center Renovations - \$50,000". A motion was offered by Mr. Michael Matherne and seconded by Mr. Tyrone Williams. Mr. Daniel Lorraine mentioned that a primary reason he voted for the 2004 Budget was because it included funds to renovate the Galliano Annex, which is in deplorable condition. He listed parish buildings to be renovated which increased in expenditures. Mr. Lorraine asked the Council to vote against the resolution. Mr. Cullen Curole explained that the renovations to the Library Headquarters included in the budget was to be paid for with parish funds. Mr. Brent Callais discussed the Annex renovations and asked if more money would be budgeted next year for the Wal-Mart building, which was purchased by the Parish, if the Annex was to be moved there. Mr. Callais suggested that the Council wait to see if the Library would have to pay for the renovations to the Library Headquarters, and if so, use the money that was budgeted for the headquarters to renovate the Annex building. President Randolph mentioned that the budget which was approved by the previous Council had approved the Detention Center renovations but was not funded by the Council, adding that the Detention Center is having major expenditures. She further explained the need for the renovations to the Detention Center, which will result in saving the parish money from having to send inmates to out of parish facilities. A discussion ensued regarding the budget and the shifting of funds. Mr. Tommy Lasseigne suggested that the Sheriff's Office pay for the renovations to the Detention Center. Mr. Lindel Toups mentioned that the Sheriff's Office agreed to pay to add onto the jail if the parish supplied the \$50,000 for an additional 27 beds. President Randolph said that the Administration was working closely with the Sheriff's Office and then stated that the parish was constitutionally bound to provide for the jail. A discussion ensued regarding renovations to the Barrios Center. She then mentioned that the parish received a grant for the Thibodaux Court House but was not officially awarded yet. Mr. Cullen Curole discussed possible ways to enhance the appearance of the Annex building without the parish having to spend \$50,000. A roll call vote was taken as follows:

YEAS: Mr. Michael Matherne
Mr. Phillip Gouaux
Mr. Brent Callais
Mr. Tyrone Williams

NAYS: Mr. Michael Delatte
Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. Daniel Lorraine

The resolution *failed* by a vote of four (4) yeas and five (5) nays.

Item (32) was previously discussed.

The next item (33) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development, in all of its proposed alignments and its final decision for alignment, construct frontage roads which enhance and support development of adjacent properties to the benefit of the Lafourche Parish economy, and that the connection with I-310 be redesigned to

allow ease of access in Hurricane Evacuation. A motion was offered by Mr. Mike Delatte and seconded by Mr. Phillip Gouaux. Chairman Toups stated that the current resolution does not reflect off ramps in the Raceland/Des Allemands area. He then suggested that service roads run parallel on both sides of Highway 90 from the intersection of HWY 182 and HWY 90 to Highway 308. President Randolph expressed her concern that I-49 was not included in the resolution. She then recommended that the resolution request off ramps in the Raceland/Des Allemands area. Item (33) was *deferred* until the next Committee meeting.

The next item (34) on the agenda was a resolution saluting the Lafourche-Terrebonne Delegation, Representative Warren Triche, Representative Loulan Pitre, Representative Gordon Dove, Representative Carla Dartez, Representative Damon Baldone, Senator Reggie Dupre, Senator Butch Gautreaux, and Senator Joel Chiasson, for rededicating funds to the continued operation of Leonard J. Chabert Medical Center, thus assisting residents of these parishes. A motion was offered by Mr. Mark Atzenhoffer and *unanimously seconded* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-045 SALUTING LAFOURCHE-TERREBONNE DELEGATIONS

The next item (35) on the agenda was a resolution amending Picciola and Associates, Inc. engineering contract for Road Sales Tax District No. 2 to include projects for Phase 4; and authorizing the Parish President to sign all necessary documents. Item (35) was *deferred*.

The next item (36) on the agenda was a resolution establishing a Declaration of Public Policy whereby the Lafourche Parish Council does hereby confirm the authority of the Lafourche Parish President, the Parish Administrator and the Director of the Department of Community Services to supervise, manage, and when necessary, direct employees of the Community Action Agency, including its Executive Director. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Michael Delatte. Mr. Daniel Lorraine questioned whether or not Community Action was in litigation. Mr. Cullen Curole stated that the litigation was with regard to the authority to hire and fire the Executive Director. Mr. Charles Mack, President of the Lafourche Parish Community Action Board, inquired on the purpose of the proposed resolution. He stated that the resolution is in violation of the Home Rule Charter, which gives the Council, who is the governing board of Community Action agency, the authority to hire and fire. He continued by stating other responsibilities the Council assumes as the governing board and mentioned that Community Action is funded by the Department of Labor. He suggested that the Council consider getting a legal opinion before adopting this resolution. Mr. Cullen Curole stated that the ordinance says that the Department of Community Services should coordinate the Community Action Agency and therefore the Council can confirm the fact that the Administration oversees the employers up until and not including the right to hire or fire the Executive Director.

Ms. Eva Shanklin, a member of the Community Action Board, Chair of the By-laws Committee, and Coordinator for the State of Louisiana NWACP Conference, stated that she was present to speak and represent all three of the previous mentioned. She questioned why a resolution against yourself, relinquishing the powers as a Council member to the Parish President and the Administrator. She then referenced to Resolution 03-035, dated May 21, 2003. Ms. Shanklin suggested that the Council check the Home Rule Charter personnel procedure manuals for Lafourche Parish Office of Community Action, further stating that the By-laws were revised June 27, 2003. She also requested reference to Community Service Block Grants' special clauses, Section 01 Compliance, Attachment B and the training books for Community Action Boards. She then asked if votes would be done as a Council, to be done so as an educated opinion.

Mr. Clarence Robinson, member of Ward 1, stated that he has been receiving a lot of telephone complaints about the resolution. He asked for his Councilman to explain the resolution. Mr. Williams gave explanations of the complaints he has been receiving from the people of the

community. Mr. Robinson replied that he did not like the resolution because it gave up too much authority.

President Randolph stated that the resolution was designed to further clarify the roll of the Director of the Department of Community Services. She explained that Mr. Williams was not receiving any resolutions to the district's problems. President Randolph referred to the current Home Rule Charter, which states that the Office of Community Action is under the Community Services Department. Furthermore, Parish President, Parish Administrator, and the Director of the Department of Community Services is considered to be one unit, and Community Action ultimately answers to the Administration, as well as the Council of the Parish. The resolution does not dilute the authority of the Council, as far as Community Action is concerned. The resolution was designed to re-enforce the position of the Director of Community Services above the Director of Community Action, in an effort to help resolve some of the problems in Mr. Williams' District. Rev. Jerry James, Church Pastor and also the President of Lafourche Parish NWACP was present to speak. President Randolph stated that Rev. James is involved in litigations with the parish and deemed it inappropriate for any discussions.

Mr. Jerry Jones was present to give his non-support of the resolution and asked if anyone knew the CBSG guidelines. President Randolph and Parish Administrator Cullen Curole responded to knowing the guidelines, saying that they were in touch with the Department of Labor. Discussions ensued on salaries and which departments pay them. Mr. Jones requested that the resolution be deferred because of litigations and let the Court rule on the decision.

A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Michael Delatte, to amend the resolution to get legal opinion. Ms. Michelle Williams, Interim Director of Lafourche Community Action, responded to a question asked by Mr. Williams in reference to her office. President Randolph described some of the responsibilities of the departments. Mr. Mack presented some facts about the Home Rule Charter and its importance. Mr. Jones made some comments on his feelings of the Board. Mr. Curole commented on the duties and guidelines of the Board. Mr. Lorraine *withdrew* his motion and Mr. Delatte *withdrew* his second. A **motion** was offered by Mr. Callais, seconded by Mr. Williams, and *carried* to send a resolution requesting a legal opinion from the District Attorney, by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-045A DA OPINION ON COMMUNITY ACTION

The next item (37) on the agenda was a resolution supporting the efforts of a Lafourche Parish Agriculture Center to be located in the Raceland area near the intersection of Louisiana Highway 90 (future I-49 corridor) and Highway 1 and Highway 308. A **motion** was offered by Mr. Gouaux, and **unanimously seconded**, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-046 SUPPORTING AN AGRICULTURE CENTER

The next item (38) on the agenda was a resolution requesting a legal opinion from the Lafourche Parish District Attorney to determine whether or not a Parish Boards, Board Committees and Sub-Committees have to follow the open meeting laws. A **motion** was offered by Mr. Atzenhoffer, seconded by Mr. Lorraine, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-047 DISTRICT ATTORNEY OPINIONS ON BOARDS & COMMITTEES

MOTIONS

The next item (39) on the agenda was a motion to authorize advertisement for an Official Journal for the Lafourche Parish Council. A **motion** as offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and *carried* by a vote of nine (9) yeas and zero (0) nays.

PUBLIC WISHING TO ADDRESS THE COUNCIL

Chairman Lindel Toups announced that the next item on the agenda was the Public Wishing to Address the Council.

Mr. Willie Johnston, Head of the Corrections Division, for the Lafourche Parish Sheriff's Office, briefly commented on the jail not being up to standards and referenced to the interior renovations and where they considered priorities. He stated that it costs approximately \$22.30 a day, per prisoner, to send them out of the parish.

Next, Constable Dwayne LeBouef commented that people complained about violators getting arrested and then released from lack of available space to keep them in jail. He stated there should be ways to keep them in jail longer, to please the people. Mr. LeBouef then referred to item 26 on the agenda and made comments on passing an ordinance on signs in Raceland stating NO PARKING ON STREET. He also made a comment on a 36 inch pump and gear head that is behind his shop that has been sitting there for over a year and that the Council can have it. Chairman Toups stated that Mr. Mark Atzenhoffer's District should receive the pump.

Next, Mr. Lindel Toups spoke of a letter he received in reference to the Charity Hospital being taken over. The letter was written to the Governor on May 6, 2004. He also mentioned that there was a Recreation meeting that took place in his area last week and he was not aware of it because he did not receive notification. Mr. Toups stated that someone should make them aware of the meetings.

Next, a **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and **carried to return to the Executive Session** by a vote of nine (9) yeas and zero (0) nays.

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

EXECUTIVE SESSION

The next item (6) on the agenda was a motion to discuss the pending litigation regarding Del-Mar Farm, Inc. Vs. No. 84876 Lafourche Parish Council consolidated with Lafourche Parish Council Vs. No. 84098 Elson M. Delaune, et al. A motion was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte to settle the lawsuit with Del-Mar Farm, Inc. for a sum of \$5,000, replacement of the bridge with a culvert, and legal expenses, and **carried** by a vote of nine (9) yeas and zero (0) nays. Mr. Gouaux requested that Administration replace the culvert within the next 60-90 days, if at all possible. He suggested getting with the North Lafourche Levee District to possibly fund the cost of the culvert. Then, he stated that a contractor should be hired in order to settle the issue, if it was not possible through the parish within the suggested 60-90 days.

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

A **motion** was offered by Mr. Phillip Gouaux, and seconded by Mr. Michael Delatte, for Mr. Gouaux to give a report on the Solid Waste Subcommittee, and **carried** by a vote of seven (7) yeas and two (2) nays. A roll call vote was taken as follows:

YEAS: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Tommy Lasseigne
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Brent Callais
Mr. Daniel Lorraine

NAYS: Mr. Michael Matherne

Mr. Mark Atzenhoffer

Mr. Phillip Gouaux stated the community determined the contract needed to possibly be extended to the end of the year with the SWDI collection. He stated the deadline date would be no later than the first meeting in November. The proposal of the Disposal of Solid Waste would be due no later than the full Council meeting in September. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Brent Callais to approve the extension of the contracts with SWDI until the first meeting in September, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) abstained. A roll call vote was taken as follows:

YEAS: Mr. Tyrone Williams
Mr. Michael Delatte
Mr. Michael Matherne
Mr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Brent Callais

ABSTAINED: Mr. Daniel Lorraine

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

ADJOURN

On motion by Mr. Phillip Gouaux, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council meeting of June 8, 2004, adjourned at 10:00 P.M.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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