

JULY 12, 2005
GALLIANO, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JULY 12, 2005, AT 6:00 P.M., IN THE ADMINISTRATIVE BUILDING MEETING ROOM AT THE GREATER LAFOURCHE PORT COMMISSION, 16829 EAST MAIN STREET, GALLIANO, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Mr. Michael Matherne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 6:03 p.m.

Chairman Matherne announced that the invocation would be led by Council Chairman Matherne. The Council then recited the Pledge of Allegiance led by Councilman Phillip Gouaux. Proceedings of the meeting were called to order with the following:

PRESENT:	Mr. Tyrone Williams	Mr. Lindel Toups
	Mr. Michael Delatte	Mr. Phillip Gouaux
	Mr. Michael Matherne - Chairman	Mr. Brent Callais
	Dr. Tommy Lasseigne	Mr. Daniel Lorraine
	Mr. Mark Atzenhoffer - Vice Chairman	

ABSENT: None

Chairman Matherne also recognized Parish President Charlotte A. Randolph as being present. He further recognized the Mayor of Golden Meadow, Mr. Joey Bouziga, Golden Meadow Councilman Lawrence Mounic and Golden Meadow Councilman Jody Cheramie as being present and thanked them for coming.

APPROVAL OF COUNCIL MINUTES

The first item (1) on the agenda was a motion to accept the minutes of the June 28, 2005, Regular Session meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine to accept the June 28, 2005 minutes. An **amendment** was offered by Mr. Daniel Lorraine, seconded by Mr. Mark Atzenhoffer, to have the minutes reflect the following changes: 1) Page 8, Line 21, last word should be "**Golden Meadow**" instead of "~~Galliano~~", 2) Page 12, Line 20, insert the words "**one of**" for the sentence to read "...Service District had **one of** the fastest...", 3) Page 12, Line 7, from the bottom of the page, the sentence starting with "~~Mr. Lorraine stated~~" should read "**Mr. Gouaux stated**..." and 4) Page 3, second paragraph, Line 8, after "10:00 am" add the words "**in the morning.**" The amended minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

PUBLIC WISHING TO ADDRESS THE COUNCIL

The next item (2) on the agenda was Mr. Joey and Mrs. Robin Adams to address the Council regarding drainage issues on LeBlanc Drive. Mr. Joey Adams addressed the Council first and said that he was asking for help with drainage on LeBlanc Drive in Lockport. Mr. Adams then said that he had a presentation of the flooding to show the Council. The Council then viewed the presentation as it was being narrated by Mrs. Robin Adams. Mrs. Adams thanked the Council for the work done on the roads. She informed the Council that the drainage problem on LeBlanc Drive had been talked about since Mr.

Caillouet was in office. She went on to say that the Council knew there was a problem but that the roads were taken care of first. Mrs. Adams told the Council that the problem was worse now than it had ever been. She said the beginning of the presentation showed a heavy rainfall that had taken place in June of 2001 and went on to say that Mr. Johnny Adams had filmed the presentation. Mrs. Adams then named the people living on LeBlanc Drive and informed the Council of how many times each one of their homes had been flooded. She said that the flooding was coming from the back field, from the home of Mrs. Sherry and Mr. Todd Rivet. She said the situation that was being viewed on the presentation was caused by the Rivets and the street's drainage problem. Mrs. Adams informed the Council that the end of the presentation was filmed in 2004, showing that the problem was not getting better, but getting worse. She said that once her neighbor's yard across the road floods, the water pours over the road into her yard and also that they had encountered problems with snakes.

Chairman Matherne informed Mrs. Adams that she had one (1) minute of discussion time remaining. Mrs. Adams advised Chairman Matherne that the presentation would take longer than one (1) minute. Mr. Toups relinquished his time to Mrs. Adams.

Mrs. Adams said that the end of the tape showed water coming from the Rivet's home. She went on to say that the Rivets owned land from the front of LeBlanc Drive to Forty Canals, in which they had cattle. Mrs. Adams said that the Rivets blocked up the ditches that were on the property. She said that the Rivets had no drainage on their property because they had blocked up all of the ditches and that they were draining their land onto Parish property. Mrs. Adams said that they were having a problem from the back and with the ditches overflowing. She said that they had spoken to Mr. Jack Plaisance who was in the process of obtaining a federal grant to help with the problem. She said that Mr. Plaisance said that the grant could help with the ditches, but that he felt that the problem was with the Rivets not having any drainage. She said Mr. Plaisance also said that he felt that it was the Parish Council who should have the Rivets do something to fix the flooding problem. Mrs. Adams went on to discuss the sinking of Louisiana and the new buildings being built, stating that problems would eventually be had. She went on to read from a June 19, 2005 newspaper article regarding various grants which had been secured for various park furnishings, which she stated she was not pleased about. She said that it should not be mentioned that there was no money to be gotten to force the Rivets to fix the problem and that there should be a legal way to make them do something. She went on to list other construction costs from the newspaper article such as for the Ag Center. She said that the money should be spent on the problems that the people were having.

Mr. Gouaux told Mrs. Adams that the money which she had been referring to were dedicated funds or grants dedicated to specific areas. He went on to say that Picciola & Associates were trying to obtain state-wide flood control money and FEMA money in order to correct part of the problem.

Mrs. Adams then directed the attention of the Council back to the presentation, saying that the flooding portion of the tape that they were viewing was taped on October 10, 2004.

Mr. Toups questioned Mrs. Adams as to how the Rivets were flooding her property. He went on to state that the Rivets had purchased a strip of land on the side of the subdivision and that Mrs. Adams had bought property in the subdivision. Mrs. Adams stated that drainage ditches were there as long as she had lived there, which she said was twenty-seven (27) years. Mr. Toups asked if the drainage ditch was a Parish ditch and whether the Parish had a right-of-way on it. Mrs. Adams said that the Parish had supposedly looked into it. She went on to say that they were told nothing could be done about it. Mr. Toups said if the ditches were not Parish ditches, that they could not force them to drain there. He went on to say that they could go to the back of the subdivision and drain to the back, but that the Parish could not tell Mr. Rivet that they were taking his land to drain LeBlanc Drive. Mrs. Adams asked if the Rivets had the right, as private land owners, to drain their property into Parish ditches and cause flooding to their neighbors. Mr. Toups said that the people who made the subdivision should have given drainage to LeBlanc Drive. Discussions continued between Mrs. Adams and Mr. Toups regarding the Rivets and the flooding problems. Mr. Toups said a motion should be made to have the Administration look at the

matter. Mr. Phillip Gouaux said that he wanted to make a statement saying that the Administration and Mr. Ray Cheramie had looked at the problem and also that the engineering firm had looked at it. He went on to say that the engineering firm had come up with a plan to assist and that money was needed. Mr. Troups stated that in the future, hopefully, the money would be available to take care of both problems. Mrs. Adams asked exactly what was going to be done. Chairman Matherne informed Mrs. Adams that the Council would speak.

President Charlotte A. Randolph spoke next, saying that they had applied to FEMA's Pre-Disaster Mitigation Program for this project, as well as for federal appropriated and all of the congressional delegations and the state-wide budget. She said that all of those applications had been submitted since February and March of 2005 and that word was being awaited.

Mr. Ray Cheramie said that there were three (3) areas of concern with LeBlanc Drive, all of which he had looked at. He stated that the first area of concern was that the particular buildings were built in a sloop with a higher rise in the back. He went on to say that it takes a longer time for the water to get to the back. He said another area of concern was that the pumping capacity in the area was not sufficient. He said that the North Lafourche Levee District was presently in the process of adding either one (1) forty-eight (48") inch pump there or two (2) thirty-six (36") inch pumps that they presently had on hand. Mr. Cheramie said that by 2005 the bids should be going out and that it should help the situation. He stated that Mrs. Adams was right in that there was a lot of water that comes across and flows across the yards and hurts the subdivision. Mr. Cheramie said that this was one reason that when the Parish was recommending culvert sizes for a subdivision, it should be taken into account not only what was drained by the subdivision, but the surrounding area that might affect the subdivision. Mr. Cheramie said that he had met with the Rivets and that Mr. Rivet promised he would do something. He said that it was being waited on to see what Mr. Rivet would do and that the Parish could not force him legally to dig a ditch.

Mr. Sidney Sanders next addressed the Council regarding the rear section of West 135th Street. He stated that he had been before the previous Council regarding this matter. He said he wanted answers. Mr. Sanders said that he was told approximately a month ago that a project was approved and that he was recently told that the project was taken off because of the lack of paperwork. He asked what specific paperwork was needed.

Mr. Cullen Curole said that he had found that the dedication on West 135th Street to the Parish was eight hundred thirty-four (834') feet. He went on to say that over 1,000 feet was hard-surfaced. Mr. Curole stated that it was basically a private street beyond what was already surfaced. Mr. Sanders stated that according to his land deed and paperwork, the street was a public street. Mr. Curole went on to say that any Notary or attorney who did not do their title work could write that it was a public street, but that would not make it correct and suggested that Mr. Sanders deal with his title attorney or whomever he purchased his property from. He told Mr. Sanders that if he came up with additional information, that he would be happy to look at it. Mr. Curole said that maybe that was what needed to happen, to have people come up with dedications to the Parish. He went on to say that if it was not a Parish Street, that the Parish should not pave it. Mr. Sanders stated that the Parish maintained the piece of street for years and that the Parish had recently put an eighteen (18") inch culvert at the end of his property and another culvert at the end of the street. Mr. Sanders said that when Mr. Ray Cheramie went to the area, that he asked who had given a right-of-way for the culverts. Mr. Sanders stated that no one had signed a right-of-way, but that the project was done and maintained by the Parish. Mr. Sanders went on to say that all the other shell streets were paved. He said that if the Parish was going according to when property was given years ago, that approximately seventy-five (75%) percent of the streets were done illegally. Mr. Sanders said that the people paid taxes and continue to pay taxes for this and that he thought it to be illegal that money was collected, but public streets were not paved. Mr. Lorraine said that he would discuss this more in detail later in the meeting, but that he would touch on it some at the present. He then spoke regarding Road Sales Tax 2, Phase IV. He held up a paper stating that a meeting was held on June 29, 2005 and that it

read “West 135th Street, new construction, bank of Sidney Sanders, no paperwork”. He went on to say that the project was thrown out. Mr. Lorraine then directed his statement to Mr. Curole saying that he had written a letter to him on October 24, 2004 regarding Mr. Sidney Sanders and West 135th Street. Mr. Lorraine went onto to read from the letter and discussed the letter and its attachments. He said that the problem had been going on for a long time. Mr. Lorraine said that the letter stated that he would appreciate it if an affidavit from Mr. Louis Davis would be obtained regarding his grading of West 135th Street in the 1980's and 1990's. Mr. Lorraine said that he had met in April with the Parish President and the engineering office and that with the documentation that he had the Parish President said she had no problems doing the one hundred eighty (180') feet. Mr. Lorraine said because that was said, he did not worry about it, but that he then received a letter on the 29th that the project had been cut. Chairman Matherne asked if this issue was regarding item (28). Mr. Lorraine said that he was not sure if he would address it at item (28) or in the Engineers’ Report. He stated that he wanted it to be known that a letter, which included all the documentation, was sent and further that he had recently submitted the documentation of the property to the Parish President. He said that the documentation specifically stated that it was a public street. Mr. Lorraine said he would appreciate if it would be looked at and the project be done, if it could be done. He went on to state that he believed it could be done because the documentation there.

Chairman Matherne next called Ms. Edna Lafont to address the Council. Mr. Lorraine stated that he wanted her to speak on Item (28) at the time it was being discussed and that he would relinquish his time.

Chairman Matherne stated that there were six (6) or seven (7) more Residents to Address the Council forms. Chairman Matherne asked for a motion to limit discussions to three (3) minutes in order to get through as many forms as possible. Mr. Mark Atzenhoffer then read from Ordinance 2403, Section C which stated that “only one (1) person, per meeting, would be allowed to address the Council on the same issue, unless additional relevant information was present.” Mr. Atzenhoffer made a **motion**, seconded by Dr. Tommy Lasseigne, to allow three (3) people three (3) minutes each, and **carried** by a vote of nine (9) yeas and zero (0) nays. Chairman Matherne stated that the individuals would be taken in the order of when the forms were received.

Dr. Jody Plaisance addressed stated that he was a physician in Thibodaux and addressed the Council in reference to the issue of Resolution (21) regarding the Hospital Service District. He then thanked the Council for allowing him to speak. He stated that he did not think any changes needed to be made on the board at this time. He went on to say that two (2) new members had been placed on the Board in the last two (2) years. Dr. Plaisance reported that the hospital was in the middle of a large \$77 million expansion project that had been some six (6) years in the making. He said that Ms. Eva Jacobs had been a part of the Board for over ten (10) years and that she was part of the original expansion project of the Medical Mall. Dr. Plaisance said that she understood the issues that were faced with that expansion project and that she had come through that. He said that she had been a part of the current expansion project and that she understood the problems and issues being faced. Dr. Plaisance went on to explain that the Board was diverse, comprising of a businessman, a lawyer, a physician, and two (2) educators that represent the lay public. He said to replace someone at this point would be of no benefit. He said that this was not about who was better qualified and that he knew, respected and liked Dr. Ayo. Dr. Plaisance stated that this had nothing to do with Dr. Ayo and that it was not political. He stated that he felt that Ms. Eva Jacobs was the best person for the job. He said that they had a very cohesive Board and that it had taken a while to develop that cohesiveness. Dr. Plaisance said that they work together on all the issues. He said that it had never been a political issue among them, that they had always worked well together, and that they had always been able to resolve problems very easily. He said that he thought that there were

two (2) good candidates. Dr. Plaisance said that this was about timing and that to replace someone in the middle of the project was bad timing. He said that he could have emptied the hospital with employees and patients who understood what they were going through. He asked that the Council take a good look at what was going on, and make no changes at this time, and let Ms. Jacobs continue to do the job that she had been doing so well. Dr. Plaisance said that the hospital was a well oiled machine, with a good business going. He stated that if Dr. Ayo should get the place of Ms. Jacobs, that they would only be left with two (2) members of the Board with enough experience to carry them through the project. He stated that Dr. Hill had been on the Board for two (2) years and was just getting to the point of having full knowledge of what was going on. Dr. Plaisance said that Mr. Daniel "Danny" Cavell was added to the Board approximately two (2) weeks prior and that even though he understood the legal issues, that he did not understand medicine. He stated that Ms. Jacobs had the experience, had been there through the tough times, and that she knew what was going on. He asked that the Council keep her on the Board.

Ms. Melissa T. Folsie, Registered Nurse at Thibodaux Regional Medical Center, addressed the Council. She stated that she had been at Thibodaux Regional Medical Center for the last twelve (12) years. She stated that Ms. Jacobs had done an excellent job and that she had supported Thibodaux Regional to the fullest. She said that she agreed with Dr. Plaisance in that this was a very bad time to replace someone on the Board. Ms. Folsie begged the Council to keep Ms. Jacobs on the Board.

Mr. Eric DeGravelle, Director at Thibodaux Regional Medical Center in Environmental Services, stated that he was also there to speak on behalf of the employees of the hospital for Ms. Jacobs. He stated that she had twelve (12) years on the Hospital Board and that she had the experience that was needed. Mr. DeGravelle went onto say that Ms. Jacobs had been through the transformation of the hospital. He said that twelve (12) years ago, the hospital was performing at the middle of the pack and at present it was leading the pack. He said that Ms. Jacobs had been there, had been instrumental and that they needed her to stay on the Board.

Chairman Matherne requested that the record show that Ms. Gina Thibodaux wanted to also discuss the matter, in support of the reappointment of Ms. Eva Jacobs. He stated that he would allow the candidates to speak at Item (28). Chairman Matherne then asked if there was any other public wishing to address the Council. Hearing none, the next item on the agenda was entertained.

PRESENTATIONS

The next item (3) on the agenda was Mayor Joey Bouziga with the Town of Golden Meadow to address the Council regarding Oakridge Park Road. Mayor Bouziga stated that he was present to discuss the Park Road project and that he was planning to make a presentation, but that he believed the problem had been solved over the phone with the Parish President on July 11, 2005. Mayor Bouziga said that he would answer any of the Council's questions. Chairman Matherne asked if there were any questions for Mayor Bouziga. Mr. Atzenhoffer asked when the project would be done. Mayor Bouziga stated that the Parish Engineer would be able to answer that. Mr. John Plaisance with J. Wayne Plaisance said that he had spoken to the contractor, who said that he was anxious to get started on the project. He said that as soon as the paperwork was signed, that the project could get started. He said that it would probably take two (2) to three (3) weeks to receive the final paperwork, and that the project would only take approximately thirty (30) days. Mr. Callais asked what company was awarded the project, to which Mr. Plaisance replied as Huey Stockstill.

The next item (4) on the agenda was Mr. Joey Richard with Postlethwaite and Netteterville to present the 2004 parish audit. Dr. Lasseigne advised that Mr. Richard would not be present, that he had spoken to him earlier on July 12, 2005, and that he had just received a copy of his report on July 11, 2005. He said that he told Mr. Richard that more time was needed to review the audit and that it would be put on the next agenda. The presentation was *deferred* to the next meeting.

EXECUTIVE SESSION

The next item (5) on the agenda was an Executive Session to discuss Star Services of New Orleans versus Lafourche Parish Council, #97731. A **motion** was made by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, to go into Executive Session, and **carried** by a vote of nine (9) yeas and zero (0) nays. Mr. Callais stated that he wanted to include President Randolph in the Executive Session. Chairman Matherne requested that the record show that President Randolph entered into the Executive Session.

Mr. Phillip Gouaux made a **motion** to close the Executive Session and reconvene the meeting, seconded by Mr. Michael Delatte, and **carried** by a vote of seven (7) yeas, zero (0) nays, and two (2) absent, that being of Mr. Lindel Toups and Mr. Mark Atzenhoffer.

Mr. Lorraine offered a **motion** to authorize the District Attorney to meet with Star Services and to come back before the Council in thirty (30) days, seconded by Dr. Tommy Lasseigne, and **carried** by a vote of seven (7) yeas, zero (0) nays, and two (2) absent, that being of Mr. Lindel Toups and Mr. Mark Atzenhoffer.

ADMINISTRATIVE REPORT(S)

The next item on the agenda was a presentation of any reports on the Parish. President Randolph gave an update on the Tropical Storm Hurricane Report. She stated that during Tropical Storm Cindy an emergency declaration was declared and a voluntary evacuation south of the flood gates in Golden Meadow and Lower Pointe Aux Chenes was ordered. She went on to say that some homes had been flooded and that there had been quite a bit of debris that had to be moved quickly because the next storm was on its way. President Randolph said that there were many people who worked very hard to make this happen and ensured the safety of the people. She named Mr. Chris Boudreaux, as Director of the Office of Emergency Preparedness (OEP), Mr. Windell Curole, as the OEP Assistant Director, Mr. Cullen Curole, Mr. Ray Cheramie and all of the Department of Public Works (DPW), as being ready, no matter what was needed, for both of the storms. She stated that Ms. Denise Hughes took care of the Larose Evacuation Center and that there were families who had used the center. President Randolph said that technical support was given by Mr. Lee Prosperie and Mr. Seth Holloway. She went on to say that Mr. Jerome Danos had done a “bang-up job, as far as debris was concerned.” She stated that the debris clean-up was an ongoing project and that there was still debris to be picked up. She saluted the Sheriff’s Office, the fire departments, and the port commissions for making it a very safe time for the people. She said that they were addressing the areas where there was flooding. She went onto say that Hurricane Dennis had been monitored for three (3) days, but that no declarations, nor evacuation notices were made. She stated that those decisions were based on the best available information they had and that they were in constant contact with the State OEP. She concluded by saying that Emily (which was another approaching storm) was currently being watched.

Mr. Ray Cheramie then gave a Department of Public Works report, along with a visual presentation. He first spoke about in-house built gates at the Brule Guillot Road, Louisiana Highway 309. He said that the gates had been installed to try and separate the most northern area of Lafourche Parish, which is mostly sugarcane fields and fairly high land. He said that the gates would keep the water, which was going to the Morvant Pump Station, from migrating into the West Thibodaux area. He stated that the gates should control the amount of water that floods the residential area, which is pumped by the Leighton Pump Station. Mr. Cheramie went on to say that the separation was probably fifty (50%) percent of each of the areas. He said that the Leighton Pump Station was a bigger pump station and that by restricting the water flow, that there was a better chance of keeping water out of some of the homes.

He next spoke of the Nolan Tregre Outfall Canal, showing a before and after picture of the area.

He stated that this project would also compliment the West Thibodaux FEMA project.

He showed two pictures of how the St. Bernard ditch was cleared out. He said that St. Bernard was also connected to the West Thibodaux area in the area, of the By-Pass Road, which brings water to the Leighton Pump Station.

He went on to say that the West Thibodaux FEMA project was ninety (90%) percent completed. He showed a picture of a canal that ran along the old railroad track along with culverts, which they had installed through the railroad track system. He said that this would help bring water quicker to the Leighton Pump Station.

The Marydale Subdivision project was the next project Mr. Cheramie spoke of. He said they had recently cleaned out the ditches in that area. He stated that DPW employees had dedicated time in securing the servitudes and easements needed for the new waterline improvement project in that area.

Mr. Cheramie then talked about the Dean Toups Reservoir, as being a reservoir system that was being used behind Gheens when the water starts flooding the front. He stated that water was able to go into a large area approximately eighty (80) acres in size. Mr. Cheramie stated this would be done in conjunction with the Lafourche Basin Levee District.

Mr. Cheramie reported that the Serigny Levee was just about completed. He said that there were problems with "flaking" on the levy. He said they were also working at the present to secure the Mobley area.

He next showed a levee inside and to the rear of Allied Shipyard and stated that the work being done was being done in conjunction with the North Lafourche Levee District and that it would be part of the Hurricane Protection Levee.

Mr. Cheramie went on to say that he had more items to speak of, for which he did not have pictures. The Valerie Connection from the Twenty Arpent to the Forty Arpent Canal was one hundred (100%) percent clear and approximately seventy (70%) percent completed.

He said that as the Council was aware, the 40 Arpent Canal from the Valerie to the Britain was completed. He went on to say that this would help bring some of the Twenty Arpent Canal waters to the Forty Arpent Canal, which would facilitate bringing the water to the pump station much quicker.

Mr. Cheramie then spoke of the Forty Arpent Canal from the Valerie to East 40th. He stated that the Calvin Plaisance Outfall Canal was one hundred (100%) percent completed and that it drained the area around West 194th Street.

He next reported that the Pat Pitre Outfall Canal was one hundred (100%) percent completed and that it drained the area north of the heliport on La. Highway 3235.

Mr. Cheramie then said that the Wayne Leblanc Outfall Canal was helping the drainage on West 164th, 165th and 167th Street and as being one hundred (100%) percent completed.

Mr. Cheramie spoke of the Robichaux Canal in Raceland and stated that it was presently being cleared and that it would help drain Pelican and Eagle.

Mr. Cheramie concluded his reports by saying that the Sako Canal was completed and that it was an outfall canal that drained Sako Drive, Hospital Drive and a nursing home in Raceland.

Dr. Lasseigne asked Mr. Cheramie was what the total cost of the Edgar Guidry Pump Station. Mr. Cheramie replied \$405,870.66.

Ms. Shannon Chiasson, Finance Director, advised the Council that she had a brief finance report and that they would be receiving their copies electronically. She said that she had passed out to the Council the revenues broken down for Solid Waste, Royalties and Sales Tax. She said that there was a detailed listing in their packets along with a copy of the Power Point presentation. She then began her presentation and went on to explain a bar graph which showed the difference between 2004 and 2005 revenues for sale taxes collected. Ms. Chiasson next spoke on royalty revenues collected to present. She advised the Council that they should keep in mind the one-time Chevron settlement in the amount of \$870,000. She then showed a comparison of royalty revenues from 2001 to 2005. Ms. Chiasson stated

that for Technology, they went live on June 1, 2005 and the reports were being generated by the new software. She said that they had started general billing, business licenses and accounts receivable. She stated that fixed assets had been started the week of July 11, 2005 and was believed to be going live on August 1, 2005. Ms. Chiasson told the Council that on August 8, 2005, Crystal reports would be started. She went on to explain that reports would be built and that the Council would not be getting the normal big stack of financials that they normally got each month. Ms. Chiasson asked that the Council please e-mail her with what they would want to see on the reports, so that they could be built. She then began to speak about the 2006 budget, explaining that all departments had put in their information. She said that they were in the process of verifying the personnel costs, the revenue and looking at how to structure a five (5) year capital out-lay budget. She said that what they wanted to start bringing to the Council, more scientifically collected data, so that their estimates were not only based on what was done the prior year, but also on trends. She stated that what the Council was seeing on the Power Point presentation was from the Bureau of Economic Analysis. Ms. Chiasson said that what they were trying to do was show the costs of government in Lafourche Parish and what the people were willing to pay for services. Ms. Chiasson said that the residents of Lafourche Parish were basically willing to pay 1.4 cents for services in Lafourche Parish.

Mr. Toups asked Ms. Chiasson to go back to the presentation which showed the sales taxes for Districts 3, 5 and 6. He read from the presentation slide that Road Sales Tax District 3 had \$63,000 and District 5 had \$79,000. Mr. Toups stated that he had asked a couple of months ago that those figures be reviewed and inquired as to whether that had been done. Ms. Chiasson said that they had been looking at that and were waiting on maps from South Central Planning to see exactly where the boundaries were. She went on to say that they had been in contact with the School Board to find out information. Mr. Toups said that he wanted them to go back to 2001, 2002 and 2003 because District 5, the Chackbay/Kraemer area, and District 3 were almost double what they used to collect and now all of sudden they have sped up. He went on to say that something was wrong. President Randolph stated that the School Board had given indications that the collections were up in that area. She went on to say that there was a great deal of development in the area, as well as, spending on automobiles and major purchases. Mr. Toups recommended that a report be done from 2002 and 2003, versus 2005. President Randolph went on to say that she was told that this was a fast growing area. Mr. Toups said that District 3 had shipyards in Lockport and Raceland, and that could not be compared to the Chackbay/Kraemer area. Ms. Chiasson said that what had been done, was that the School Board had moved up their collection and had hired someone to come in and collect sales taxes. Mr. Toups reiterated that he wanted a report done.

ENGINEERING 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.

Mr. Robert Picciola of Larry J. Picciola, Inc. handed out and gave a report on Road Sales Tax District 3, 5 and 6 Projects:

PROJECT 3A (BAYOU BLUE): *The Contractor, Huey Stockstill, Inc. has returned the contracts and they have forwarded them to the Parish for execution. A pre-construction meeting occurred on July 7, 2005. A Notice to Proceed was scheduled to be issued on July 18, 2005.*

PROJECT 3D (BAYOU BLUE): *Bids were received on the 28th of June, 2005. The Notice of Award has been signed by the Parish and copies of the contracts forwarded to the Contractor to be signed. Upon receipt of the contracts and execution of those contracts by the Parish, we will schedule a pre-construction meeting and issue the Notice to Proceed.*

PROJECT 3E (MATTHEWS TO VALENTINE): *The survey work was completed and the design engineer has informed them that the design should begin in the next couple of weeks.*

PROJECT 5A (CHOUPIC/KRAMER): *A pre-construction meeting occurred on July 7, 2005. The Notice to Proceed was scheduled to be issued on July 12, 2005.*

PROJECT 5C (COUNTRY CLUB AREA): Preliminary design was 90% complete.

PROJECT 5D (WEST THIBODAUX): The design engineer has informed them that surveying was approximately 20% complete.

PROJECT 6A (RACELAND): Bids have been received and approved. The Contractor, Coastal Bridge Co., Inc., has received the contracts. Upon receipt of the signed contracts, they will forward them to the Administration for execution. Upon receipt of the executed contracts they will schedule a pre-construction meeting with the Contractor to determine a start date and the date they will issue the Notice to Proceed.

Mr. Atzenhoffer stated that he was looking at Projects 3A, 3D and 5A. He then confirmed with Mr. Picciola that 3A and 3D were seventy- (70) day projects and that 5A was approximately an one hundred eighty (180) day project. Mr. Atzenhoffer asked if 5C was the next project to go to bid. Mr. Picciola stated that 3E, 5C and 5D would be going about the same time. Mr. Atzenhoffer questioned the time needed for various parts of the projects, such as the completion time and the publishing time. Mr. Picciola referred Mr. Atzenhoffer to the Project Letting Schedule attached to the report and went on to explain it. Mr. Atzenhoffer stated that his biggest fear was that a project would finish in September 2005 and that the next project would not be ready. Mr. Picciola said that they would have one (1) project finishing in September and that Project 6A Coastal Bridge Project, would not be until some time in October 2005. Mr. Atzenhoffer asked what was the problems being had with that project, to which Mr. Picciola replied as that they were taking the necessary time to get the contracts back to them. He stated that he felt that everything had moved a fast pace. Dr. Lasseigne questioned whether the contractors were supposed to have the signed documents back in fifteen (15) days and Mr. Picciola stated yes. Mr. Atzenhoffer asked when that deadline would be to which an inaudible response was given. Mr. Atzenhoffer then questioned change orders. He voiced his concerns regarding having to pay someone to take equipment home and then paying them again to bring equipment back because of a lapse. Mr. Picciola said that would have to paid regardless, because mobilization was included in every project. He went on to say that they were doing everything that they could to ensure that the Parish got the cheapest possible price. Dr. Lasseigne pointed out, in the form of a scenario, that if an engineer was given a notification to go to bid July 13, 2005, and that on July 20, 2005 it would be published, it would not be until August 20, 2005 that bids could be received. He went on to say that it would not be until approximately September 1, 2005 that they could possibly get started with approving contracts, etc. He stated that the projects that were going at present, would be all but completed because seventy (70) days was their maximum numbers of days. Mr. Picciola stated that they were aware of the fact that they needed to go to bid on these projects by the end of September 2005 at the latest. Dr. Lasseigne questioned if he was referring to going to bid versus receiving bids. Mr. Picciola confirmed that they needed to receive bids by the end of September. Dr. Lasseigne said there was a difference between receiving bids and going to bid. He said that they would have to go to bid pretty soon, to which Mr. Picciola replied by the end of August 2005, beginning of September 2005. Mr. Picciola asked Dr. Lasseigne what was his question. Dr. Lasseigne reiterated that if they got notification to go to bid on September 1, 2005, it would be impossible to receive a bid before October 8, 2005. Mr. Picciola said that if they were aware that they needed to receive bids in September and they got their notice to go to bid for their projects toward the end of August, then they would be well inside the time frame that had been established and the contract would continue to run smoothly. He stated that he did not understand Dr. Lasseigne's question. Dr. Lasseigne asked why a notice to go to bid was not given yet. Mr. Picciola asked why would he give them notice to bid now, when they were still in the design phase. He went on to say that they were not completed and that they had not sent them a completed set of plans to review. He said that he could not issue a notice to go to bid, when they have not supplied him the information he needs to make sure those plans would be acceptable. After pointing out that they were only speaking about one (1) project, 3E, not being ready to go to bid, Dr. Lasseigne said that there were other projects that were engineered to a large extent. Mr. Picciola asked what specific project Dr. Lasseigne was referring to. Dr. Lasseigne advised that he was referring to Project 5C (Country Club). Mr. Picciola told Dr. Lasseigne that in his report, that he had stated that the design

engineer claimed to be ninety (90%) percent complete with design. Dr. Lasseigne asked when they were going to bid. Mr. Picciola stated at the end of September. He went on to say that they needed to receive bids by the end of September 2005.

Mr. Cullen Curole said he thought that Mr. Mark Atzenhoffer's point was that whenever it was possible to speed-up the schedule it should be tried. He went on to say that the schedule that was put out was basically pulling numbers out of the air. He said that he thought there would be every attempt to speed-up the process after it would be going and it was seen that it could be sped up.

Mr. Mark Atzenhoffer pointed out that it would be less money to mobilize from Raceland to Lockport, then from Raceland to Kenner and then back from Kenner to Lockport. He said he realized that they would be paid to put their equipment on the truck and to bring it somewhere, but that it should be made sure that when they were trucking it, it would be going from one project to the next project, and not back to Kenner and then back here. Mr. Curole stated that to the degree possible, that would be done.

Mr. Joseph Picciola with Picciola & Associates, Inc. presented an engineering report which he also handed out to the Council:

The FEMA Hazard Mitigation Plan: Louisiana OEP had commented on their plan and they were currently incorporating those comments, and would be re-submitting the plan the week of July 11, 2005 for final approval.

The FEMA Hazard Mitigation Grant Program, West Thibodaux Drainage Project: Byron Talbot Contractors, Inc. was the contractor. The Contractor had installed the box culverts, catch basins, and currently completing clean up work and the headwalls for the box culverts at La. Highway 3185 and Talbot Avenue. The project should be complete and ready for final inspection by the end of the week of July 18, 2005.

The FEMA Hazard Mitigation Grant Program, Twin Oaks Drainage Project: Project bid was on April 12, 2004. Sealevel Construction was the low bidder in the amount of \$487,173 for the base bid plus alternates. Contract documents were complete and were being recorded by the Parish. Once received, they will schedule a pre-construction meeting with the Contractor to start the project.

The FEMA Hazard Mitigation Grant Program, Clovelly Bridge Drainage Project: The project bid was on November 18, 2004. Sealevel Construction was the low bidder, in the amount of \$211,028. He stated that the right-of-way problem had been straighten out with Entergy and that the Contractor would be issued a Notice to Proceed within a few weeks.

Fantastic Acres Pump Station Upgrades: The bids were received on January 19, 2005 at 10:00 a.m. LL&G Construction was the low bidder, in the amount of \$214,460. Awaiting final approval of right-of-ways before awarding the contract. He stated that the Contractor had extended and was still honoring his price at the present time.

Gheens Pump Station Upgrades: LL&G Construction was the Contractor. They have fabricated the pump station platform and have mobilized the equipment on-site. They have begun construction on-site and should be complete within a few weeks.

The Road Sales Tax District No. 2 - Phase IV: Project bid was on May 17, 2005. Barriere Construction Co., L.L.C. was the low bidder in the amount of \$1,631,879. The contract documents were complete and a notice to proceed had been issued to the contractor. The Contractor will begin moving material and equipment on-site by the end of the week of July 11, 2005 or early in the week of July 18, 2005.

Mr. Lorraine asked Mr. Picciola about Road Sales Tax District No. 2, Phase IV and stated that the project should have been done last year. He inquired as to what was the initial anticipated costs, when he had first surveyed and engineered the project. Mr. Picciola stated that their final estimate was approximately \$1.8 million. Mr. Lorraine confirmed with Mr. Picciola that there were two (2) bidders, those being Huey Stockstill, Inc. and Barriere Construction, Co., L.L.C. He said that he recalled the bid of Huey Stockstill to be approximately \$2.1 million and that the bid of Barriere was approximately \$1.6 million. Mr. Lorraine stated that the difference between what Mr. Picciola anticipated and what was bid was a savings of approximately \$140,000. He said that this project was bid out and awarded and that on June 29, 2005 he received a paper that informed him that Mr. Picciola, DPW and Mr. Cullen Curole had met and slashed out various projects. He said that he could not understand how they could

slash out a project when the anticipated bid was at \$1.8 million, the bid was received at \$1.63 million, and the money needed was available. Mr. Lorraine said that he could have understood if the project would have been over budget. He said he did not know who gave Mr. Curole the authority to cut the projects and that was the reason why he would be presenting a resolution later in the meeting to have the District Attorney involved. Chairman Matherne asked Mr. Lorraine for his question to Mr. Picciola. Mr. Lorraine said that if the Administration could cut projects after they were bid out, that the Council should just go home. He reiterated that the Administration could not do that and that he would be going to the District Attorney.

Mr. Lindel Toups asked if all the right-of-ways were signed for the Twin Oaks project. Mr. Picciola stated that he should probably defer that to Mr. Ray Cheramie, but that they were working on some right-of-way agreements for the outfall canals. He stated that he knew that they had spoken to Ms. Becky Robichaux, who had agreed to give a right-of-way. Mr. Toups said that he had received a call on July 12, 2005 from Mr. Norman Duplantis, who said that Ms. Angeloz would not sign, but that Ms. Robichaux would. He questioned whether that would serve the same purpose. Mr. Cheramie informed Mr. Toups that they were currently working on the Robichaux property clearing out excess fill, so that they could clean out that particular reservoir. He went on to say that he would be meeting with Mr. Donald Harang on July 13, 2005 to discuss the situation with the property of Ms. Angeloz. Mr. Toups inquired as to whether that would slow-up the project. Mr. Cheramie stated that he did not see that as being a problem. Mr. Picciola said that there was a lot of work to be done before the outfall canals would be gotten to.

Mr. Richard Weimer, Architect, next addressed the Council on the status of the Animal Shelter. He informed the Council that the Animal Shelter was broken down into four (4) bid packages/projects. He stated that bid package one (1) was being constructed by the Louisiana Technical College at no cost to the Parish. He went on to say that the value of their services was approximately \$50,000. Mr. Weimer then said that the materials were being supplied by Frost Lumber Company and Coburn Supply, Co. He said that the materials had been purchased, stored, properly insured, and paid for, and that the materials were being delivered to the Technical College as they were needed. Mr. Weimer said the students were learning as they were building the structure and that the project was going well and was anticipated to be finished by approximately mid to late 2006.

Mr. Weimer then stated that bid package two (2) was the kennel building. He stated Sierra Construction Company was the contractor, with a contract price of \$245,000. He went on to report that the project was approximately twenty-five (25%) percent complete. Mr. Weimer said that he was glad to report that the concrete slab had been poured on July 8, 2005 and the concrete masonry walls were started July 12, 2005. Mr. Weimer said that by the week of July 18, 2005, that the walls should be finished and the roof should be put on. He said he anticipated the project to begin to move much quicker. Mr. Weimer said that the contractor was approximately thirty (30) days behind schedule, but that he had indicated to him that they would be back on schedule and should complete the project by the completion date of October 14, 2005.

Mr. Weimer next spoke about bid package three (3). He stated that this package was finishing the office building and went on to explain that M&H Builders, Inc. was the contractor who would do the air conditioning and the plumbing in the office building, that was being built by the Technical College. Mr. Weimer stated that once the building was delivered to the site, that they would also be installing the flooring, stairs and a ramp. He stated that they would finish after the Technical College finished the building and estimated that they would be finished in late 2006.

Mr. Weimer said bid package four (4) was the moving of the building from the Technical College to the site. He stated that Nick Martinolich, Inc. would be performing that work sometime in mid to late 2006. Mr. Weimer then entertained any questions.

Mr. Atzenhoffer stated that he did not notice anything regarding inside equipment, having that

equipment hooked up, or anticipated costs for that. Mr. Weimer stated that all of that was included in the project and that the only things that were not included in the project were some of the furniture and some cages. Mr. Atzenhoffer asked if that included surgical tables. Mr. Weimer stated that was being purchased by an equipment package, that was not in this portion of the project. Mr. Atzenhoffer asked if Mr. Weimer was handling that, to which Mr. Weimer stated no. Mr. Atzenhoffer asked who was handling it and Mr. Curole stated that there was a line item in the budget for the equipment and that it would be done in-house with the Parish staff. Mr. Atzenhoffer asked what was the amount of the line item, to which Mr. Curole stated, under \$200,000, but that he really did not recall the amount. Mr. Atzenhoffer asked that he be informed of the amount. Mr. Curole said that the equipment would not be purchased until later in the year, when the need would be obvious and/or it would be rolled over into next year.

LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. Mr. Atzenhoffer interrupted stating that he wanted to let everyone know that calls had been received regarding the Morris Town project and that some of the Councilmen had asked about the status of that project. He stated that within a few days of July 12, 2005, that they should be advertising for bids on the project. Chairman Matherne asked who the engineer on the project was. Mr. Atzenhoffer stated that Mr. Heck was the engineer through South Central Planning. Mr. Atzenhoffer asked that South Central Planning attend the next meeting.

Ms. Lisa Orgeron, Assistant District Attorney, advised that she had recently received three (3) production services contracts pertaining to the library to review. She stated Mr. Camille "Cam" A. Morvant, II, District Attorney, asked that the Council advise of exactly what the contracts were being reviewed for. Ms. Orgeron went on to say that Mr. Morvant suggested that maybe the Council members, the Administration, someone from the District Attorney's office and someone from whatever profession was being dealt with, be it architects or engineers, could form a committee to compile a check list. Ms. Orgeron said that the contracts that had been received by them had not been reviewed because they needed to know what the contracts were being interviewed for. A brief discussion ensued regarding what should be done with the library contracts that were sent to the District Attorney for review. Chairman Matherne said that maybe something could be put on the next agenda. Dr. Lasseigne stated that those particular contracts were approved before the motion to have contracts reviewed was passed. He stated that those contracts, and all other contracts, as far as he was concerned, did not need to be reviewed. He stated that he did not want the District Attorney reviewing every contract. Ms. Orgeron stated that they could not review every contract. Mr. Atzenhoffer stated that he believed that the Council should let the construction contracts go through as they were already approved. He went on to say that he believed what the Council was looking for was when the Council initially signed a contract for a specific project. Mr. Atzenhoffer said that some changes were made for some engineering contracts for the concrete streets. Chairman Matherne inquired as to who authored the particular motion. Mr. Gouaux affirmed that he had authored the motion. Chairman Matherne advised Mr. Gouaux that he would be put in charge, along with Mr. Atzenhoffer, in order to see what needed to be done to have that worked out. Mr. Atzenhoffer asked if a motion was needed to allow the contracts to be signed. Chairman Matherne stated no.

Ms. Orgeron then asked the Council if they had received the letter regarding attorneys. Chairman Matherne said yes and asked if that was on the two-thirds agenda for July 12, 2005. Mr. Toups advised that it was on the two-thirds agenda for July 12, 2005. Ms. Orgeron asked if there were any questions and then went on to explain the process of the attorney, once service was received. Chairman Matherne asked if anyone had any questions regarding the attorney list provided.

Chairman Matherne reminded everyone that they should speak directly into the microphone.

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

PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (6) on the agenda was an ordinance amending and re-enacting Section 2:303(B)(2) of the Code of Ordinances as it pertains to the by-laws and standard operating procedures of the Lafourche Parish Council setting four year terms with a two term limit for all board appointments unless otherwise provided by law. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. Mr. Atzenhoffer told the Council that included in their packets, was an amendment that he submitted after conferring with Mr. Toups and other Council members. He then read the changes to be made. The amendment *failed* by a vote of four (4) yeas, those being of Mr. Michael Delatte, Dr. Tommy Lasseigne, Mr. Mark Atzenhoffer, and Mr. Brent Callais, and five (5) nays, those being of Chairman Matherne, Mr. Tyrone Williams, Mr. Lindel Toups, Mr. Phillip Gouaux and Mr. Daniel Lorraine. Mr. Gouaux stated that he thought that with all of the boards that there were, if they would do some consolidation, that this may be a good thing, but at the present time he felt that there were too many boards and not enough willing people to serve. He stated that he did not want to put any restrictions at all. Mr. Toups said that he agreed with Mr. Gouaux. He then said that term limits should not be put on boards when there was trouble getting board members. He said that he had agreed with Mr. Atzenhoffer in that if Board members could not be obtained, then they could stay. He stated that he was against the amendment. Mr. Atzenhoffer asked that the Council consider that the board members serve at the pleasure of the Council, but that nothing was in place if they stopped pleasuring the Council. He said that there were too many board members who were not showing up for meetings and bad-mouthing Council members, but that the person would be allowed to stay on the board. Mr. Atzenhoffer said that there were some things that needed to be done and that this was a start. Mr. Atzenhoffer continued to discuss his reasons for the amendments. The motion *failed* by a vote of four (4) yeas, those being of Mr. Michael Delatte, Dr. Tommy Lasseigne, Mr. Mark Atzenhoffer, and Mr. Brent Callais, and five (5) nays, those being of Chairman Matherne, Mr. Tyrone Williams, Mr. Phillip Gouaux, Mr. Lindel Toups, and Mr. Daniel Lorraine.

ORDINANCE FAILED

The next item (7) on the agenda was an ordinance establishing a fifteen (15) miles per hour speed limit on West 213th Street, Ward (10), District (9) of Lafourche Parish; authorizing the installation of necessary signs; and providing for penalties of violators thereof. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Lindel Toups. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3640 (15) MILES PER HOUR SPEED LIMIT ON WEST 213TH STREET

The next item (8) on the agenda was an ordinance designating a section of Hyland Drive from its intersection with Thirteenth Street to the end of Hyland Drive as a "One-Way"; and authorizing the installation of the necessary signs. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Gouaux then gave a brief explanation of the reason for the ordinance. He stated that he and Mr. Ray Cheramie had looked at the street and that there was a serious problem with the outfall canal undercutting the street. Mr. Gouaux said that two-way traffic would become dangerous with vehicles having to travel on the side of the ditch. He stated that until the problem could be resolved, he did not want a school bus to meet another vehicle down the street and possibly have an accident. Mr. Toups said that he had went and looked at the location with

Mr. Gouaux. He said that with the one-way, vehicles would have to go all the way to the back to turn around. Mr. Toups said that he would vote for it but that he did not agree with it. Mr. Gouaux said that Mr. Toups was incorrect and that there were various cross streets available. Mr. Ray Cheramie stated that he thought that inconvenience should be put aside because this was a safety issue. He went on to say that it should be voted on as a one-way until the problem could be corrected. A brief discussion ensued between Mr. Toups and Mr. Cheramie regarding the current conditions of Clovelly Road. Mr. Gouaux said that he wanted it known that one of the residents that would be affected by the project would be himself, as he lived on Hyland Drive. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3641 THIRTEENTH STREET TO THE END OF HYLAND DRIVE, ONE-WAY

The next item (9) on the agenda was an ordinance deleting in its entirety Sub-Chapter “B” of Chapter 12 of the Code of Ordinances as it pertains to the Bayouland Library System. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3642 DELETE SUB-CHAPTER “B”, CHAPTER 12, CODE OF ORDINANCES, BAYOULAND LIBRARY SYSTEM

The next item (10) on the agenda was an ordinance approving a servitude agreement between Norman Badeaux and the Lafourche Parish Council for drainage work in the Valentine area; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3643 SERVITUDE AGREEMENT, NORMAN BADEAUX, VALENTINE AREA

The next item (11) on the agenda was an ordinance approving a servitude agreement between Janita Marie Thibodeaux and the Lafourche Parish Council for drainage work in the northern Bayou Blue area; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Mark Atzenhoffer. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3644 SERVITUDE AGREEMENT, JANITA MARIE THIBODEAUX, NORTHERN BAYOU BLUE AREA

The next item (12) on the agenda was an ordinance approving a servitude agreement between John Orgeron and the Lafourche Parish Council for drainage work in the Valentine area; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Matherne asked twice if anyone from the public wanted to speak on the proposed ordinance. Mr. Curole advised the Council that there were two (2) separate agreements attached to the ordinance pertaining to Mr. John Orgeron and that the title of the resolution should be changed to “agreements” instead of “agreement”. Chairman Matherne then asked once more if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups. Mr. Gouaux made a **motion** to amend the resolution to make the agreements plural, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of nine (9) yeas and zero (0) nays. The motion as amended *carried* by a vote of nine (9) yeas, and zero (0) nays.

ORD. NO. 3645 SERVITUDE AGREEMENT, JOHN ORGERON, VALENTINE AREA

The next item (13) on the agenda was an ordinance establishing a twenty-five (25) miles per hour

speed limit on Peltier Drive, Ward (3), District (2) of Lafourche Parish; authorizing the installation of necessary signs; and providing for penalties of violators thereof. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Tyrone Williams. Chairman Matherne asked Mr. Delatte the location of Peltier Drive and was told in Raceland. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3646 25 MPH SPEED LIMIT, PELTIER DRIVE

The next item (14) on the agenda was an ordinance permitting the Lafourche Parish Library Board of Control to implement plans to upgrade Lafourche Parish Library System, to include the purchase of property from the Bayou Civic Club, Inc. for the Larose Library at a price of purchase of One Dollar (\$1.00); and authorizing the legally authorized officials to sign an Act of Cash Sale and any other documents pertaining thereto. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3647 PURCHASE PROPERTY FROM BAYOU CIVIC CLUB, INC. FOR THE LAROSE LIBRARY, SIGN AN ACT OF CASH SALE

The next item (15) on the agenda was an ordinance de-dedicating that section of Louisiana Highway 308 that extends from Allan Company to the end of Louisiana Highway 308. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. Mr. Toups asked the location of said road and a brief discussion ensued regarding the same. Mr. Gouaux said that someone had contacted him and asked that the matter be put on the agenda. He stated that the location was at the end of Highway 308 and south of Golden Meadow. Mr. Lorraine said that the road was already de-dedicated. Mr. Gouaux said that according to the landowner, who had records, a portion of the road was de-dedicated, but not the entire road. He went on to say that this would be to de-dedicate the portion that was not already de-dedicated. Chairman Matherne asked Mr. Cheramie if that was correct and was advised yes. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3648 DE-DEDICATING SECTION OF LOUISIANA HIGHWAY 308, FROM ALLAN COMPANY TO THE END OF LOUISIANA HIGHWAY 308

The next item (16) on the agenda was an ordinance acknowledging Lafourche Parish Government ownership of abandoned Highway previously referred to as Louisiana Highway 78 in the Larose area and accepting maintenance responsibilities of said abandoned highway. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3649 ACKNOWLEDGING LPG OWNERSHIP OF ABANDONED HIGHWAY REFERRED TO AS LA HIGHWAY 78 IN THE LAROSE AREA

Next, a motion was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to close the public hearing and Ordinances for Ratification, and *carried* by a vote of nine (9) yeas and zero (0) nays.

PROPOSED ORDINANCES

The next item (17) on the agenda was a proposed ordinance amending Section 25:23(B) of Sub-Chapter "A" of Chapter 25 of the Code of Ordinances as it pertains to sizes of culverts to be used in the

parish. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.
PROPOSED ORDINANCE AMEND CODE OF ORDINANCES, CULVERT SIZE

The next item (18) on the agenda was a proposed ordinance adding Section 12:6 to Sub-Chapter “A” of Chapter 12 of the Code of Ordinances as it pertains to payment of maintenance costs and other expenses of the Lafourche Parish Library system. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE ADD CODE OF ORDINANCES, PAYMENT OF
MAINTENANCE AND EXPENSES, LIBRARY SYSTEM**

The next item (19) on the agenda was a proposed ordinance amending and re-enacting Section 17:23 of Sub-Chapter “A” of Chapter 17 of the Code of Ordinances as it pertains to traffic regulations in regards to traffic calming devices. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance. Mr. Toups asked if what he was referring to were speed bumps. Dr. Lasseigne read from the proposed ordinance and gave several reasons for advising the Council to read the proposed ordinance first. He said that he realized that the matter was only being introduced but that he felt that the Council should read over it. Mr. Gouaux then stated that he also had problems with the matter and that possibly Mr. Lorraine could have them taken care of before the matter came back before the Council. He first asked if the Sheriff was equipped to perform what was being asked for, if so, what standards would the Sheriff use, and lastly, would a hold harmless agreement stand up on a public street. Mr. Gouaux stated that it was a parish street and that people were being allowed to put something across it. He said that he felt that there would be liability. Mr. Lorraine said that this matter had been going on for three (3) to five (5) years and that he had brought all the paperwork to the Sheriff’s Office, who then put together the proposed ordinance. He went on to say that it was a start. He said that when he brought the paperwork to the Sheriff’s Office, that he told him to put the information together as best as he could. Mr. Toups then questioned the residents having to obtain a certificate of insurance from the chosen contractor. He stated that needed to be worked on. He asked how the residents were going to have insurance on the matter. Chairman Matherne reminded the Council that the matter being discussed was a proposed ordinance. Mr. Toups said that these problems were being brought up before the next meeting. Mr. Curole said that the Council should note that what was underlined was added and what was struck-through was being deleted and that the majority of the questions the Council was asking was regarding the law as it read at present.

**PROPOSED ORDINANCE AMEND/RE-ENACTING TRAFFIC REGULATIONS-
TRAFFIC CALMING DEVICES**

RESOLUTIONS

The next item (20) on the agenda was a resolution filling vacancies on the Lafourche Parish Fire Protection District No. 9 Board. A **motion** was made Mr. Lindel Toups to re-appoint Mr. Harris Francis Griffin and Mr. Robert J. Landry, Jr. and to add Mr. Avery J. Vedros as a new member, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-178 VACANCIES ON FIRE PROTECTION DISTRICT NO. 9 BOARD

The next item (21) on the agenda was a resolution filling a vacancy on the Lafourche Parish Hospital Service District No. 3 Board. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Michael Delatte to adopt said resolution. Mr. Williams nominated Ms. Eva Jacobs. Mr. Brent Callais stated that the way the resolution was written, already having Ms. Eva Jacobs name included, that Ms. Eva Jacobs would be appointed and that there would be no need to make an appointment to appoint a certain candidate on an item, if the resolution had been written that way. He stated that he had a problem with the way the resolution was written. He went on to explain that eighteen (18) members had been appointed to boards throughout the Parish and that all eighteen (18) of the appointments had resolutions like the

previous item, being a resolution (item (20)), which included blanks to be filled in. He said that all eighteen (18) resolutions had been blank, with the exception of two (2), both being resolutions to appoint members to the Hospital Service District No. 3 Board. Mr. Callais then said that he did not know who drafted the document and questioned Mr. Curole if he or his office had drafted the document. He asked if so, was he informed to draft it that way. Mr. Curole replied that he had asked Mr. Williams how he wanted it to read and that the documentation before them was Mr. Williams' recommendation. Mr. Callais then questioned if this was how it would be done from this point on, that the name would just be included. He stated that on the previous item (20), that Mr. Toups had three (3) people who applied and asked if Mr. Toups should have had a resolution for each one. Mr. Curole stated that it was completely up to Mr. Callais. Mr. Brent Callais then made a **motion** to amend the resolution to delete Ms. Eva Jacobs and to replace her name with the name of Dr. Donald Joseph Ayo. The motion was seconded by Mr. Daniel Lorraine. Mr. Atzenhoffer then relinquished his time to either candidate if they so wished to address the Council.

Ms. Eva Jacobs, Hospital Board Member, District No. 3, thanked the Council for the opportunity to allow her to make a few remarks. She went on to state that first and foremost, that she wished to express her gratitude to the Parish Council for permitting her to serve on the board for the past two (2) terms. Ms. Jacobs then gave a very special thank you to Councilman Daniel Lorraine for casting the ballot that titled the vote in her favor on the evening of July 14, 1993. She went on to say that Mr. Lorraine's vote gave her the opportunity to become involved in some of the most meaningful experiences of her life. She said that new ground was broken as she was the first woman and the first person of color to serve on the board. She again thanked Councilman Daniel Lorraine. Ms. Jacobs stated that during the past twelve (12) years that she and her fellow board members had spent long hours in wall-to-wall meetings discussing and brainstorming the many critical issues that faced the healthcare industry. She went on to say that through those sessions that they arrived at the workable solutions that apply to their situation in District No. 3 and as a result of this hard work, together with the dedication and unified spirit of the employees, medical staff, administration and the board, that Lafourche Parish and its surrounding area can marvel at the awesome and competitive healthcare facility that they are so fortunate to have. She stated that without a doubt, Lafourche Parish had been blessed. Ms. Jacobs stated that aside from fulfilling her many duties and responsibilities as a board member, she brought to the table a pragmatic flavor to the problem solving that needed to be done and that she was viewed as a reasonable consciences builder. Ms. Jacobs then went on to speak of her late father and the impression that he made upon her regarding the importance of seeing virtue in the opposing view of others. She said that that teaching was part of the very fabric of her being. She said that compromise to her was a high priority goal and that it was most essential in the quest of improving the quality of healthcare at Thibodaux Regional Medical Center. She stated that the three (3) attributes she had previously stated, served to define her as a human being and a team player. She asked that the Parish Council re-appoint her to the board in order that she may continue the great work that laid ahead. Ms. Jacobs went on to say that her twelve (12) years of dedicated service on the hospital board spoke for her and that a vote for her was not a gamble. She said that when she was voted for, the vote was for a well established twelve (12) year quantity. She thanked the Council.

Next to speak was Dr. Donald Joseph Ayo, who stated that he humbly submitted his name for consideration for the vacancy on a board that was very important to all the people that it served. He went on to say that if he was selected by the Council, he pledged the same attributes as when he was President of Nicholls State University. He went onto list those attributes as being fiscal responsibility, perseverance and vision. Dr. Ayo went on to say with those characteristics, Nicholls State University was made a most outstanding university. He thanked the Council for their consideration and then entertained any questions.

Chairman Matherne advised that Mr. Williams wished to relinquish some of his time to Ms. Gina Thibodaux. Ms. Gina Thibodaux addressed the Council by stating that she had been a nurse at Thibodaux Regional Medical Center for the past fourteen (14) years and that she stood before the Council as a female voice. She said that she felt it had been very important and comforting for the female employees of

Thibodaux Regional Medical Center to know that they have a female voice, which gave a female perspective in healthcare decisions. Ms. Thibodaux said that most females in family relationships made the healthcare decisions. She stated that she felt that it was very important to continue with Mr. Eva Jacobs, that they were very happy with her and would like to continue to have her female voice on the board.

Mr. Tyrone Williams then addressed his fellow Councilmen stating that it was with heartfelt intent that he was coming before them to ask that they please consider the re-appointment of Ms. Eva Jacobs to the hospital board. He said that Ms. Jacobs had been an asset to the board for twelve (12) years and that he had received a number of phone calls on her behalf. Mr. Williams said that there were many concerned citizens who wanted to see Ms. Jacobs continue to serve on the hospital board. He asked that they remember that she was the only female board member. Mr. Williams asked that they vote yes, to re-appoint Ms. Jacobs.

Mr. Atzenhoffer then stated something that was inaudible.

Dr. Lasseigne stated that the original resolution was open. He stated that resolution was the resolution and that it was open, so they had to act on the resolution. Mr. Atzenhoffer again stated something that was inaudible. Chairman Matherne said that an amendment to insert Dr. Donald Ayo in the place of Ms. Eva Jacobs had been moved and seconded. Mr. Atzenhoffer then stated something that was inaudible. The amendment and second to delete Ms. Eva Jacobs and to replace her name with the name of Dr. Donald Joseph Ayo were removed. Mr. Tyrone Williams nominated Ms. Eva Jacobs and Mr. Brent Callais nominated Dr. Donald Joseph Ayo. Mr. Mark Atzenhoffer stated something inaudible. Chairman Matherne said that he thought the proper thing to do was to pull Ms. Eva Jacobs' name, leave the blank unfilled, and that they would be voting on the resolution as written. Chairman Matherne then read the resolution. Mr. Callais asked Mr. Curole that he not let future resolutions be drafted the way this particular resolution was drafted. He said that it should be left blank. He stated that as the resolution was written, had created a hassle on the Council. Chairman Matherne stated that resolutions should be standard. Mr. Curole stated that he thought the Council directed how a resolution was to be written. He stated that it was fine, if the Council wanted resolutions written differently. He stated that the resolutions could be written downstairs. He said that there were two (2) models, one with the blank filled in and one that had the blank not filled. The Council then voted on the nomination of Ms. Eva Jacobs. The nomination of Ms. Eva Jacobs **failed** by a vote of three (3) yeas, those being of Chairman Matherne, Mr. Tyrone Williams and Mr. Michael Delatte, and six (6) nays, those being of Mr. Mark Atzenhoffer, Mr. Brent Callais, Mr. Lindel Toups, Mr. Phillip Gouaux, Dr. Tommy Lasseigne and Mr. Daniel Lorraine. Mr. Callais then nominated Dr. Donald Joseph Ayo, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer. Mr. Gouaux thanked Ms. Eva Jacobs for her dedicated service in the last twelve (12) years. He stated that more people like her were needed to dedicate twelve (12) years of their lives to boards and that he appreciated it.

Mr. Atzenhoffer stated for the record, that the first fifty (50) phone calls and the first twenty-five (25) e-mails were probably enough and that he thought that this matter got of out hand. He stated he did not appreciate, as a Council member, that he was called at his place of employment , while working on job sites by people at work at their own offices. He stated that this was not how the process was supposed to work. Mr. Atzenhoffer said that he did not vote for either one of the candidates.

RES NO. 05-179 VACANCY, HOSPITAL SERVICE DISTRICT NO. 3 BOARD

A **motion** was offered by Mr. Phillip Gouaux to *convene* for a five minute break and to reconvene at 8:05 p.m., seconded by Mr. Michael Delatte, and **carried** by a vote of nine (9) yeas and zero (0) nays.

Chairman Matherne performed a roll call with Mr. Delatte, Mr. Brent Callais, Chairman Matherne, Mr. Lindel Toups, Mr. Phillip Gouaux, Dr. Tommy Lasseigne and Mr. Daniel Lorraine being present, and Mr. Mark Atzenhoffer and Mr. Tyrone Williams as being absent.

A **motion** was offered by Mr. Lindel Toups to *reconvene* at 8:05 p.m., seconded by Mr. Michael

Delatte, and *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) absent, those being of Mr. Mark Atzenhoffer and Mr. Tyrone Williams.

Mr. Mark Atzenhoffer re-joined the Council at 8:06 p.m.

The next item (22) on the agenda was a resolution filling a vacancy on the Lafourche Parish Recreation District No. 1 Board. A **motion** was offered by Mr. Lindel Toups to re-appoint Mr. Delaney J. Champagne and Mr. Anthony John Chaisson, seconded by Mr. Phillip Gouaux, to adopt said resolution. The resolution *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Tyrone Williams.

RES NO. 05-180 VACANCY, RECREATION DISTRICT NO. 1 BOARD

Mr. Tyrone Williams re-joined the Council.

The next item (23) on the agenda was a resolution filling a vacancy on the Lafourche Parish Fire Protection District No. 2 Board. A **motion** was offered by Mr. Lindel Toups to re-appoint Mr. Valcour E. Rodrigue and Mr. Ernest J. Vedros, seconded by Mr. Phillip Gouaux, to adopt said resolution. The resolution *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-181 VACANCY, FIRE PROTECTION DISTRICT NO. 2 BOARD

The next item (24) on the agenda was a resolution filling a vacancy on the Lafourche Parish Fire Protection District No. 1 Board. The resolution was *deferred* by Mr. Mark Atzenhoffer to the next meeting.

RESOLUTION DEFERRED

The next item (25) on the agenda was a resolution filling a vacancy on the Lafourche Parish Children and Youth Planning Board. A **motion** was offered by Mr. Tyrone Williams to nominate Mr. Burnell Tolbert and was seconded by Chairman Matherne. Chairman Matherne asked how many vacancies were available and was told one (1). Dr. Tommy Lasseigne nominated Mr. Charles Mosely, seconded by Mr. Daniel Lorraine. The Council then voted on the nomination of Mr. Burnell Tolbert, which *carried* by a vote of five (5) yeas, those being of Mr. Lindel Toups, Mr. Phillip Gouaux, Chairman Matherne, Mr. Tyrone Williams, and Mr. Michael Delatte, and four (4) nays, those being of Mr. Brent Callais, Mr. Mark Atzenhoffer, Mr. Daniel Lorraine and Dr. Tommy Lasseigne.

RES NO. 05-182 VACANCY, CHILDREN AND YOUTH PLANNING BOARD

The next item (26) on the agenda was a resolution requesting South Central Planning and Development to conduct an in-depth survey of traffic control devices in the area of the Bayou Country Club, including the adjoining streets, specifically the area bounded by Louisiana Highway 1, Percy Brown Road, the Forty-Arpent Canal, and the North Water Plant property. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Lindel Toups to adopt said resolution. Dr. Lasseigne stated that this was something that South Central Planning would do for free and that it needed to be done. He went on to say that there were a lot of four-way intersections and speeding problems. He said an assessment at this time could do nothing but help. The resolution *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-183 SOUTH CENTRAL PLANNING AND DEVELOPMENT CONDUCT SURVEY, TRAFFIC CONTROL DEVICES IN BAYOU COUNTRY CLUB

The next item (27) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to improve the drainage in the area of 106 Plaisance Street due to the flooding problem that exist. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark

Atzenhoffer to adopt said resolution. Mr. Toups asked if the street involved with Plaisance Drive or Plaisance Street. Mr. Gouaux said that it was Plaisance Street in Valentine. He then explained that a constituent was being told by the State that they were too booked up to help him and further that one side of his property had no culvert. Mr. Gouaux stated that the property owner filled in the ditch on the opposite side and placed a very small culvert. He went on to say that as a result, every time there was a rainfall event of any size, a portion of the constituent's home flooded. Mr. Gouaux said that he put this resolution together to get the State to move on getting something done, but if they do not, he would ask that DPW look at the matter. The resolution *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 05-184 LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, IMPROVE DRAINAGE, 106 PLAISANCE STREET

The next item (28) on the agenda was a resolution requesting the Lafourche Parish District Attorney to review bid documents on roadway and drainage improvements in Road Sales Tax District No. 2, Phase IV on possible improprieties by the Administration. A **motion** was offered by Mr. Daniel Lorraine and seconded by Dr. Tommy Lasseigne to adopt said resolution. Mr. Lorraine offered an **amendment** to remove the verbiage ~~possible improprieties by the Administration~~, seconded by Dr. Tommy Lasseigne. Mr. Phillip Gouaux asked what was being reviewed. Mr. Lorraine said that he needed to send the District Attorney paperwork. Mr. Gouaux asked paperwork regarding what. A brief discussion was held regarding the removal of the verbiage as requested and the meaning of the resolution. Mr. Atzenhoffer asked what the District Attorney was reviewing the bid documents for. Mr. Lorraine stated that there were things that were done and that those things needed to be brought to the attention of the District Attorney in order for him to determine if what was done could have been done or not. Mr. Atzenhoffer asked if Mr. Lorraine was asking the District Attorney to investigate this matter. Mr. Lorraine said that there was nothing about investigation included. Mr. Atzenhoffer asked for a specific list of things that Mr. Lorraine wanted the District Attorney to review. Mr. Lorraine stated he wanted to get the verbiage regarding improprieties out of the resolution first, and then he would discuss it. The amendment *carried* by a vote of seven (7) yeas, zero (0) nays, and two absents, that being of Mr. Lindel Toups and Mr. Tyrone Williams. Mr. Lorraine began discussion on the resolution as amended, by stating that Ms. Edna Lafont would like to address the Council. Chairman Matherne asked Mr. Lorraine how much of his time was he relinquishing to Ms. Lafont, to which Mr. Lorraine said three (3) or four (4) minutes.

President Randolph questioned why the matter was being presented at the July 12, 2005 meeting, if it was being asked that the District Attorney review it. Mr. Lorraine told President Randolph that he wanted to let the District Attorney's office know what needed to be reviewed. President Randolph pointed out that the District Attorney was not present. Mr. Lorraine stated that he would send the District Attorney the information. President Randolph again asked why this matter was being discussed at the July 12, 2005 meeting. Mr. Lorraine stated that he had to get something going as the project was awarded and was getting ready to start. President Randolph asked Mr. Lorraine if what he was asking for was to have the District Attorney review the matter, then why was he not presenting it to him for review. Mr. Lorraine stated because it had to come from a resolution from the Council first and that the District Attorney would not review it otherwise. President Randolph asked Mr. Lorraine why he was elaborating on the matter at the meeting instead of presenting it to the District Attorney. Mr. Lorraine reiterated that he needed a resolution from the Council. Chairman Matherne urged that a proper decorum be maintained.

Ms. Edna Lafont then addressed the Council on behalf of East 175th Street regarding drainage. She reported that the culvert across the street from her house was caved in and that it was her understanding from Mr. Lorraine that the problem would be fixed. She stated that the money was there, but that apparently the project had been cut and proceeded to ask President Randolph why. Chairman Matherne instructed Ms. Lafont that this was not a question and answer situation. Ms. Lafont handed out pictures of flooding on her street to the Council for their review. She stated the pictures showed how the water crossed the street and flooded her yard. Ms. Lafont said that if the culvert would be changed, that her yard

would not flood as much. She said that she would like the culvert changed. Ms. Lafont said that Mr. Lorraine, along with her husband and herself, had helped dig the ditch to clean the culvert. She went on to say that at least three (3) to four (4) times that the Parish had tried to clean the drains with trucks, but were not able to do so. She stated that the culvert had collapsed and needed to be changed. President Randolph asked what procedure was being used, asking if each street was going to be addressed. Chairman Matherne stated that he thought that Ms. Lafont wanted to tell the Council about her culverts, and said that he was not sure that was appropriate for the resolution being discussed. He then directed Mr. Lorraine to discuss the resolution. Mr. Lorraine said on Phase IV, Project 2, on which Mr. Picciola said was bid out and bids were being awarded, there were some projects that were cut. He stated that there was a process that needed to be followed. He stated that the process that he thought needed to be followed was that the Administration could not just cut what they wanted. He stated that to get a change order, it had to come before the Council. Mr. Lorraine said that he had been working on this drainage project for the past four (4) years. He then handed out pictures regarding the matter to the Council for their review. A brief discussion ensued between Mr. Lorraine and President Randolph regarding who had the floor. Chairman Matherne asked the Council to allow him to manage the discussion as well as he could and that he promised he would not let it get of hand and that the matter should be talked about like reasonable and civilized people. Mr. Lorraine continued by saying that East 175th Street had been a drainage project that needed to be done and that it was included in the plans. He said that he had a copy of all the projects, which included West 122nd, East 176th, East 175th and West 216th. He went on to say that he had a copy of the blue prints, which showed that the street was engineered into the project. He said that in February 2005 a report was received from the engineer, which stated very clearly that project plans were complete, a ride-through with the Councilmen and DPW was had, and that the engineer was still working with the Administration regarding the issue of public and private streets. Mr. Lorraine continued to read from the report. He said that the anticipated bid on the project was \$1.8 million and that the bid came in \$1.63 million. He went on to explain that Resolution No. 05-137 passed before the Council to accept the bid of \$1.631 million and carried unanimously. Mr. Lorraine then said that on June 6, 2005 that the Administration signed the contract to do the project. He reminded the Council that two companies had bid on the matter. He said that DPW had checked everything that had been surveyed, and every project that was done, and had not had problems. Mr. Lorraine said that on June 29, 2005 a meeting was had, that some projects were cut, and some transferred to the next project. Mr. Lorraine asked Chairman Matherne how could projects be cut and transferred if the bids were below the anticipated price and the money needed was available. Mr. Lorraine spoke of the previous speaker at the beginning of the July 12, 2005 meeting who was begging for drainage where there was no money available. He said that for this project the money was there. He went on to say that after the completion of the project, there would still be an additional \$ 2.1 million sitting in the bank. Mr. Lorraine stated this project should have been done last year. He said his question for the District Attorney would be how could a contract that was signed on June 7, 2005 be cut at a meeting on June 29, 2005. He said that it could not be done and that it took a vote of the Council to make a change order, not the Administration. Mr. Lorraine gave his reasons for questioning the checks and balances for projects. He said that the Administration had no right to do what was done and the people of the various streets deserved drainage. Mr. Lorraine then spoke about being a resident of East 176th Street and the flooding problems had on that street, along with the solutions proposed. He stated that he wanted to bring all of this information to the District Attorney for his review. Mr. Lorraine went on to say that if the matter would have been over budget, it could have possibly been reviewed to determined to cut some projects, but that this matter was under budget and that there would still be \$2.1 million in the bank, after its completion. He stated that he wanted it made clear that he could be crucified, but that he would not allow the people he represented to be crucified. Mr. Lorraine said that the best way to get this matter cleared up was to send it to the District Attorney for review and that he needed a resolution in order to do that. He said that he felt that the Administration was one hundred (100%) percent wrong and that the Administration knew what they had done was not correct. He went on to say that a

project that was funded, signed, awarded and engineered should not be cut. President Randolph asked Chairman Matherne if she could respond and was told yes by Chairman Matherne. She stated she would like to turn it over to Mr. Cullen Curole and then Mr. Ray Cheramie. Mr. Curole stated that procedurally, Mr. Lorraine on a frequent basis, tells them that they would be seeing a lot of change orders. He said that the agenda deadline was July 5, 2005, which included a holiday, and that the change order had not made the deadline time. Mr. Curole said that there would be a change order representing the streets and the justifications for same. He then went on to say that he wanted Mr. Ray Cheramie to go over each street with regards to what the change orders would say and that he would put in information with regards to some of the processes because some of the streets which had been promised by Mr. Lorraine were not approved to be included in what went to bid.

Mr. Cheramie began by stating that he would like to make a correction in that DPW had not "blessed" everything that was on the list and that one project in particular was 122nd Street. He went on to say that he had been against putting a culvert on that street, even though he was aware that there was a problem there. Mr. Cheramie said that the resident that lived in front had a severe problem, but that until the drainage going back towards the new outfall canal was rectified, putting a culvert would relieve that resident, but flood a number of other residents. Mr. Cheramie said that he had looked at the situation twice and that he was still against putting the culvert, until the problems were corrected on the entire street. He said that during a ride-through with Mr. Picciola, it was discussed to put the project totally into the next phase, which would not only correct that one individual's problem, but that it would not cause other problems.

Mr. Cheramie then went on to speak about 175th, saying that the equipment was there on July 12, 2005. He stated that he did not understand the earlier speaker's complaints about flooding because her side of the street had been cleaned on a regular basis. He went on to say the opposite side of the street was where the problems existed. Mr. Cheramie said that there had been a problem acquiring the right to clean the ditch. He said that they were in the process of finding out where the right-of-way was located on that particular street. He suggested that if there was right-a-way across, that DPW could continue to clean the ditch from the back of the existing driveway of that resident up to the culvert. He said that the ditch was higher than the top of the existing culvert, underneath the cemented area, where the net shop was located. Mr. Cheramie said that there was no way for the water to get to the back and that the water coming from the net shop had to go totally across the street into the earlier speaker's canal and that was the reason for the problems she was having. Mr. Curole pointed out that 175th Street did not appear on the original contract to be included in the bid and that it was not on the amended or first change order. He went on to say that this was an instance where a certain Councilman was directing an engineer to add a street to a project. He reiterated that the street did not appear on any authorization.

Mr. Atzenhoffer said that he felt that the Council was so far off course, in that they were speaking about a resolution to go to the District Attorney for review of the bid documents. He said that what he wanted to know was what was the District Attorney reviewing it for and whether the Council wanted to send it to the District Attorney. Mr. Atzenhoffer said that there was no need to go through each street because if a change order was to come in in a few weeks, they would have to discuss the same thing again. He reiterated that what was being talked about was a resolution to go to the District Attorney. Mr. Atzenhoffer went on to say that if Mr. Lorraine was going to amend the resolution that he would need to fill in the blank with what the District Attorney was being asked to look at. Mr. Lorraine asked Mr. Curole and Mr. Cheramie if what they were saying was the East 175th Street was not included in the project. Mr. Lorraine then showed Chairman Matherne documentation showing that East 175th Street was included. Mr. Lorraine said that on East 175th Street there was something solid approximately twenty (20') feet from the catch basin and that he had tried himself and that Parish trucks had been sent five (5) times, including July 12, 2005, but that it could not be moved. He reiterated his reason for not having any of the projects cut. Chairman Matherne confirmed with Mr. Lorraine that what he was trying to say was that he thought he had roads in the project and that now the roads were not in the project and that he wanted the District

Attorney to review it. Mr. Lorraine said that he wanted the District Attorney to review it because he wanted to see if the Administration had the right to do what they had done. Chairman Matherne then asked if anyone else had any summary statements. Dr. Lasseigne said that he agreed with Mr. Atzenhoffer in that the Council would be going over this again when the Administration would come with a change order and that the District Attorney reviewing it could be discussed at that time. He said he understood Mr. Lorraine's concern. Mr. Curole stated that he did not have a problem addressing the street at the next meeting, being that there would be a change order, but that what he thought was going unsaid was that for the second time of the July 12, 2005 meeting the integrity of the Administration was being challenged or questioned by an agenda item that was baseless. He went on to say that he thought that to be inappropriate and that it should not continue. He stated that the Charter provided checks and balances but that those checks and balances should not be used as tools to forward or advance the personal agenda of a Councilman. Mr. Curole said that he really had a problem with the wording of the original resolution, and that this was harassment. President Randolph said that the fact that Mr. Lorraine could continue without the Administration answering was another concern. She said that they would answer at the next meeting. President Randolph said that sometimes a civil conversation could end discussions without it taking place at a meeting. Mr. Callais asked Mr. Curole if what he was saying was that none of the project had been cut yet. Mr. Curole said that he was telling them that there would be a change order that would review and/or list or itemize the specific changes being proposed. Mr. Callais asked if the list was a recommendation that would be made to the Council. Mr. Curole said yes and that he would also be making comments with regards to whether some items should or should not be on the list. Mr. Callais stated that he understood why Mr. Lorraine wanted to go to the District Attorney's office about this matter, but that if no project had been cut yet, that there was no need to go the District Attorney yet. He said that since the Administration did not have the authority and that only the Council could do that and since the projects had not been done in a change order in vote of the Council yet, he did not see a need to go to the District Attorney. He said that they should wait until they receive the change order and if at that time Mr. Lorraine saw fit to have it go to the District Attorney for review, that it could possibly be done. Mr. Lorraine told Mr. Callais that on June 29, 2005 the projects listed on the documentation he was holding was thrown out. He went on to say that it was not right and the Administration did not have the right to that and that was why he wanted the District Attorney to review it. The resolution as amended *failed* by a vote of three (3) yeas, that being of Mr. Daniel Lorraine, Mr. Lindel Toups and Dr. Tommy Lasseigne, and five (5) nays, those being of Mr. Phillip Gouaux, Chairman Matherne, Mr. Michael Delatte, Mr. Mark Atzenhoffer, and Mr. Brent Callais, and one (1) absent, that being of Mr. Tyrone Williams.

RESOLUTION FAILED

The next item (29) on the agenda was a resolution approving the 2005/2006 contract with the Louisiana Department of Natural Resources to continue the Coastal Zone Management Program within the Parish of Lafourche; and authorizing the Parish President to sign, execute and oversee said contract and associated documents and amendments. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to adopt said resolution. The resolution *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Tyrone Williams.

RES NO. 05-185 APPROVING 2005/2006 CONTRACT, LA DEPT. OF NATURAL RESOURCES, CONTINUE COASTAL ZONE MANAGEMENT PROGRAM

The next item (30) on the agenda was a resolution accepting the low bid of A & R Floor Center, Inc. in the amount of \$2,760.00 for flooring in the Sondra Barrios Building; and authorizing the Parish President to sign and administer said contracts. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to adopt said resolution. The resolution *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES NO. 05-186 ACCEPTING LOW BID OF A & R FLOOR CENTER, INC. FOR FLOORING IN THE SONDRÁ BARRIOS BUILDING

The next item (31) on the agenda was a resolution requesting the Judicial Council to investigate the suitability of creating a two (2) division Parish Court in parts of Lafourche Parish, outside the City Limits of Thibodaux. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to adopt said resolution. Chairman Matherne asked Mr. Callais if this was because Lockport and Golden Meadow did not have a municipal court system to which Mr. Callais said that was right. The resolution *carried* by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

RES NO. 05-187 JUDICIAL COUNCIL TO INVESTIGATE CREATING A TWO (2) DIVISION PARISH COURT OUTSIDE THE CITY LIMITS OF THIBODAUX

DISCUSSIONS

The next item (32) on the agenda was a discussion concerning the upgrade of the parish water lines by the Water District liaison. Mr. Brent Callais said that over a year ago that Mr. Sidney Triche and Mr. Dirk Barrios from Water District #1 came to the Council with ways of funding improvements to the water line situation in the Parish. He said that the Council had been in possession of their report over a year and that he relinquished some of this time to Mr. Triche and Mr. Barrios to speak about it.

Mr. Dirk Barrios, General Manager, Lafourche Parish Water District, began by saying that he would reiterate what was said a year ago, that the waterline upgrades would cost in excess of \$104 million. He went on to say that it was a moving target and as times goes on, it would increase in cost. Mr. Barrios said that the Water District did not have the funding or the means to do the project. He went on to say that the Board was in favor of whatever the public wanted to do and that they were not against anything. Mr. Barrios said that there were a number of options presented to the Council, such as bonding, sales tax or increasing service charges. He said that they were looking for guidance, if the Parish wanted to pursue this. Mr. Barrios said that this would be a big undertaking for the Water District and that it would probably be a twenty (20) to thirty (30) year program. He went on to say that there were a lot of waterlines that needed to be upgraded. He finished by saying that the estimated cost a year ago was \$104 million and that it was probably closer to \$110 million at present.

A detailed discussion was held regarding a pump station in Gheens and the water pressure in that area.

Mr. Gouaux asked what amount of waterline was currently being replaced. Mr. Barrios said that the Board, since 1992, had been concentrating on three (3") inch and smaller waterlines. He went on to say that there was approximately 125 miles of such waterline, of which they have approximately 90 miles left. Mr. Barrios then went on to speak about 75 miles of four (4") waterlines that needed to be upgraded and further that there was a lot of looping and inadequate six (6") inch waterlines that would need to be upgraded also. Mr. Barrios said that this was a massive project in that it was parish-wide. He then spoke of a fire in the Thibodaux area and problems incurred with the water needed to fight the fire. He said that the creation of the Water District was to be a potable water plant. He then gave a brief history on the Water District in the 1950's. He said that the system had grown and that now they were trying to catch up. He went on to say that they were not against trying to catch up, but that it would be a big undertaking for the Water District without backing because the costs was a lot and that it would not be done overnight. Mr. Barrios said that they needed help. He said they wanted the people to be aware and to understand what it would take to do the project, along with what it would cost. He pointed out that due to a prioritizing system, that people needed to know that relief might not be seen for twenty (20) to thirty (30) years. Mr. Barrios said that the type of construction they do was different from the construction of roads. He pointed out that they did not own right-of-ways and that they have to physically acquire right-of-ways, which takes time. Mr. Brent Callais advised the Council that included in their packets were seven (7) funding options that the Water District had studied to increase revenue to improve the waterlines. He then named several and stated that before the end of the 2005 year the Council should give them some type of inclination of

how the Parish would work with them, to get the new waterlines in the ground. Mr. Callais said that this matter needed to be studied a lot more and that they should work with the Water District because it really needed to be done.

The next item (33) on the agenda was a discussion concerning an update on the Bayou Folse Road. Mr. Lorraine said that this matter had been going on since March 2001 and that an update needed to be given. Mr. Atzenhoffer said that there was a current court case going on with regards to upgrades of this road and that it would be inappropriate for the Council to discuss this matter in public. Mr. Toups said that he had also received a phone call regarding an update on this matter and that he had spoke to the Administration about it.

The next item (34) on the agenda was a discussion concerning tall grass in ditches. Mr. Gouaux asked what was the obligation of the Parish or Department of Public Works with regards to maintaining ditches in subdivisions. He then spoke of the Nolan Toups Subdivision in Lockport and said that drainage was great wherever the grass had been maintained in the ditches. Mr. Gouaux went on to say that he understood that the Parish, with the number of streets and ditches they have, were not equipped to maintain the ditches on a basis, as they would be required to be maintained. He then asked if the maintenance of the ditches could be placed on the property owner, or what would be a solution. Mr. Gouaux then spoke of the detriment caused by putting undersized culverts in a ditch and explained that over grown ditches caused the same detriment to the people who lived before it. He said that overgrown ditches restricted water. Mr. Gouaux said that he would like the Administration to come forward and tell the Council what should be done and what should be asked for.

The next item (35) on the agenda was a discussion concerning the Bayou Stabilization Project. Mr. Gouaux said that he was looking for an update on the matter. He said that a number of people had contacted him regarding this matter. He said that he thought there had been some right-of-way problems or mitigation problems. Mr. Gouaux then asked if anyone could fill him in and he was told that he would be filled in at the next meeting.

The next item (36) on the agenda was a discussion concerning two (2) Clerks attending the Council meetings. Mr. Lindel Toups had with drawn this item at the beginning of the discussions.

A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, and **failed** by a vote of five (5) yeas, those being of Dr. Tommy Lasseigne, Mr. Mark Atzenhoffer, Mr. Phillip Gouaux, Mr. Brent Callais, and Mr. Daniel Lorraine; two (2) nays, that being of Mr. Lindel Toups and Chairman Matherne; and two (2) absent, that being of Mr. Tyrone Williams and Mr. Michael Delatte, to **open** the Two-Thirds Agenda. **RECORDED AS FAILED IN ERROR, PLEASE SEE JULY 26, 2005 LAFOURCHE PARISH COUNCIL MEETING MINUTES FOR EXPLANATION.**

ADJOURNMENT

On **motion** by Chairman Matherne, seconded by Mr. Mark Atzenhoffer, and with no further business, the Lafourche Parish Council Meeting of July 12, 2005 **adjourned** at 8:47 p.m.

**MICHAEL MATHERNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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