

AUGUST 10, 2004
RACELAND, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, AUGUST 10, 2004, AT 5:30 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Parish Council was duly convened as the governing authority of said Parish by Mr. Lindel Toups, Chairman, who then stated that the Parish Council was ready for the transaction of business at 5:32 P.M.

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

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

ABSENT: None

Chairman Toups announced that the opening prayer would be led by Mr. Michael Delatte. The Council then recited the Pledge of Allegiance led by Council Member Mr. Phillip Gouaux.

Chairman Toups welcomed the Assistant District Attorney, Ms. Lisa Orgeron and Mr. Craig Romero, Candidate for Congress.

APPROVAL OF MINUTES

The first item (1) on the agenda was the approval of the minutes of the July 13, 2004, Lafourche Parish Council Regular Meeting. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to accept the July 13, 2004 Regular Meeting minutes, with an **amendment** to change page 14 to state, “*Mr. Morvant suggested that the Council ask the Administration to move the meeting from a private office and to hold all future meetings in a public place*”. The amended minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was the approval of the minutes of the July 19, 2004, Lafourche Parish Council Special Meeting. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to accept the July 19, 2004 Special Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (3) on the agenda was the approval of the minutes of the July 27, 2004, Lafourche Parish Council Special Meeting. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine, to accept the July 27, 2004 Special Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

**APPROVAL OF MINUTES AND RECOMMENDATIONS OF
COMMITTEE MEETINGS:**

The next item (4) on the agenda was to approve the minutes and recommendations of July 27, 2004 Public Works and Solid Waste Committee meeting. A **motion** was offered by Mr. Mark Atzenhoffer, Chairman of the Public Works and Solid Waste Committee, seconded by Mr. Michael Delatte, to accept the minutes of the Public Works and Solid Waste Committee meeting, with an **amendment** to change page 6 to state, “A *motion was offered by Mr. Tommy Lasseigne*”, instead of Mr. Tommy Lorraine. The amended minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

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

**TUESDAY, JULY 27, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

THE LAFOURCHE PARISH COUNCIL PUBLIC WORKS AND SOLID WASTE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, JULY 27, 2004, AT 5:30 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mark Atzenhoffer , Chairman, stated that the Public Works and Solid Waste Committee was ready for the transaction of business at 5:30 P.M.. Proceedings of the meeting were called to order at 5:44 P.M. with the following:

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

ABSENT: Mr. Lindel Toups

PUBLIC TO ADDRESS THE COMMITTEE

Chairman Atzenhoffer asked if anyone from the public wished to address the committee.

Item one (1) on the agenda was Mr. Preston Roddy, to discuss the lack of drainage in current servitude that is in noncompliance of state statute. He stated that the parish has many problems

concerning drainage servitude and there are many violations throughout the parish with obstructions of our drainage ditches, such as trees, shrubs, outbuildings, and cement foundations that supports fences. Mr. Roddy explained that it is similar to the Hoover Dam. The water tries to down stream through the servitude, but it hits the dam. He also said that this is a problem that would not go away, we are faced with it. Mr. Roddy also explained that he called the police, only to document the fact, that if he can get two witnesses of the law to acknowledge that these obstructions exist, that then he can get the local or parish government to recognize that it is a violation of state law. He stated that Mr. Ray Cherie, Public Works Director, was sent out there by President Randolph to inspect the full length of the servitude, and to identify and report all obstructions. A map was created to illustrate the findings. Mr. Roddy stated that he knows of two ways that the problem can be fixed. The first way would be to go to the residence and ask them first for a compliance. He then said that the Parish President has initiated David Poincon to send out letters to the public asking for their cooperation in removing their personal affects from the servitude. They may not do it voluntarily because of their finances or because they are not directly to blame. We can either prosecute the violators, if we can find them, or spend our tax money to improve it. Mr. Roddy expresses his thanks to Mrs. Randolph, the committee and everyone for their time.

Item two (2) on the agenda was Mr. Clyde Hebert, to address the Council on problems regarding the placement of garbage cans in steel containers. He stated how clean, quite, safe, and beautiful his neighborhood used to be. Mr. Hebert stated his opinion on how there have been fires and burglaries due to poor sight visibility. He also claims that there are abandoned vehicles and trees (two of which are on parish property) that contribute to the poor visibility. He then stated that there were two garbage cans that are placed in a steel container and it is touching the roadway. Mr. Hebert also stated that the handles are pointing directly across from his driveway, affecting motorists backing out. He stated that he does not appreciate smelling and looking at garbage and junk vehicles from the front of his door and window. He also made a point about it not helping the value of his residence. He stated how the garbage cans stay on side the road 24 hours a day and seven days a week, causing a nuisance and hazards to vehicles. Mr. Hebert made it clear, that in case of an emergency, there is only one way in and one way out, and the streets need to be clear. He stated again how difficult it is to back out of his driveway, especially when it is raining, or for buses or delivery trucks. He also stated how difficult it is for the garbage men to lift the trash out of the steel container. Therefore, causing them to sometimes leave the cans in the street. Mr. Hebert said that he once removed the cans from the road, to leave his driveway, and was rudely instructed never to touch the cans again. So, the next incident, he called a Sheriff's Deputy to remove the can, and then contacted the Council. Mr. Hebert stated that he contacted his garbage company about the problem and they attempted to help, but made no progress. He said that he was told that the contract stated that there is no specific area to place the garbage cans, but they have to be on the parish right a way, as near to the roadway as possible, without interfering or endangering the movement of a vehicle or pedestrians. He asked if the parish would be responsible, if any accidents happen because of this? Mr. Hebert stated that they would like to see their streets and shoulders clean, and free from any objects, which would interfere with an emergency. He expresses his appreciation and thanks.

MOTIONS

The next item (3) on the agenda was a motion to submit Highland Lakes Subdivision, Addendum No. 2 (33) lots, District 3 Ward 5, to be presented before the July 29, 2004, Planning Commission Meeting. (Preliminary Plat Approval). Mr. Michael St. Martin speaks about Highland Lakes

Subdivision in Thibodaux, off of Highway 308. It is a third phase of an existing subdivision and they asked for the sketch preliminary stage. Mr. St. Martin stated that he would be recommending approval to the planning commission on Thursday. A **motion** was offered by Mr. Michael Delatte, seconded Mr. Michael Matherne, and **carried** by eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (4) on the agenda was a motion to submit The Place Subdivision (37 lots), District 8 Ward 10 to be presented before the July 29, 2004, Planning Commission Meeting. (Final Plat Approval). Mr. St. Martin stated that this is a subdivision in Galliano, off of Highway 1, all is in order, and they asked for final approval. He would recommend final approval. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays and one (1) absence being that of Mr. Lindel Toups.

The next item (5) on the agenda was a motion to submit Blue ridge Pointe (submitted last month as Blue Trace (105) lots), District 4 Ward 11, to be presented before the July 29, 2004, Planning Commission Meeting. (Preliminary Plat Approval). Mr Mike St. Martin stated that this subdivision requested a variance for the block length that was granted. Now they are coming back through and he would recommend approval to the planning commission. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (6) on the agenda was a motion to recommend variance request on Dugas Subdivision, Addendum No. 2, Phase 1, District 4, Ward 2, to be presented before the July 29, 2004, Planning Commission Meeting. Variance is for the minimum lot size being less than 6,000 square feet, lot frontage less than 60 feet, side yard set backs less than 5 feet. Mr. St. Martin stated that this lot is south of Thibodaux, on Park Side Drive, and are existing town homes. He stated that many of them have been previously subdivided, some legally and some not. Mr. St. Martin stated that this gentleman is coming before us to subdivide. He stated that the zero lot line, without the set back, is because they are actually cutting the buildings in half. The buildings already exists and it won't impact any outside properties. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (7) on the agenda was a motion to submit the Dugas Subdivision, Addendum No. 2, Phase 1 (6) lots, District 4, Ward 2, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat approval). Mr. St. Martin stated that this was a submission of the subdivision with a variance. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (8) on the agenda was a motion to recommend (Mr. Brent Callais amend it to say submit, not recommend) submit variance request on Allen Thibodaux Lot Extensions to be presented before the July 29, 2004, Planning Commission Meeting. The variance is for not having to extend the cross street (West Avenue B), because of an existing shed on slab. Mr. St. Martin stated that this is a situation that we see quite often, where the adjacent property is either developed, a new subdivision, or lot extension, and would require the cross streets to be extended. Mr. St. Martin stated that this gentlemen asked for a variance from extending the cross streets because there is a shed in the way. Mr. Mark Atzenhoffer asked if there is any chance of development past the shed? Mr. Mike St. Martin answers yes, there is. Mr. Mark Atzenhoffer asked what he recommends? He answers that his recommendation to the Planning Commission would be denial. He also stated that

in the past, the Planning Commission has stood fast against variances for cross streets. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Tommy Lasseigne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (9) on the agenda was a motion to submit Allen Thibodaux Lot Extensions (11) lot extensions, District 8, Ward 10, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat Approval). A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (10) on the agenda was a motion to submit Wouldiams Subdivision (2) lots, district 9, Ward 10, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat Approval). Mr. Mike St. Martin stated that this is a simple subdivision on East 146 and he has no problem with it. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Brent Callais, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (11) on the agenda was a motion to submit LAC AMIS Subdivision (5) lots, District 4, Ward 5, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Preliminary Plat Approval). Mr. St. Martin stated that this is a simple subdivision near Lafourche crossing of off 308, everything is in order, and he recommends approval. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (12) on the agenda was a motion to submit Bayou Meadows Subdivision, Addendum No. 2 (12) lots, District 8, Ward 10, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Preliminary Plat approval). Mr. Mike St. Martin stated that this subdivision is an extension of an existing subdivision and the right of way is only 40 feet. He stated that they are not requesting a variance. Mr. St. Martin recommends denial as presented, because it does not meet the width requirements. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (13) on the agenda was a motion to recommend (Mr. Phillip Gouaux amend it to say submit, not recommend) submit variance request on East 49th Street, Addendum #1, to be presented before the July 29, 2004, Planning Commission Meeting. The variance is to allow the minimum road right of way, to be 40 feet, instead of the required 50 feet, so that proposed development would remain consistent with the existing subdivision. Also, a variance to allow no aggregate shoulders was being requested, so that the proper existing drainage ditches would fit in the road right of way. Mr. St. Martin stated that this is very similar to the one right before, but this man is requesting a variance. The subdivision was actually built many years ago, but did not complete the process. He stated that the roads deteriorated and the gentleman wanted the parish to accept it as it was built, but they had denied it. He is now going to reconstruct the streets according to parish standards and so forth. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (14) on the agenda was a motion to submit East 49th Street, Addendum #1 (9) lots, District 8, Ward 10, to be presented before the July 29, 2004, Planning Commissions Meeting. (Sketch/Preliminary Plat Approval). Mr. Mike St. Martin stated that this is the submission of the same item prior to. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne,

and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

The next item (15) on the agenda was a motion to submit Cumberland Estatic (44) lots, District 4, Ward 11, to be presented before the July 29, 2004, Planning Commissions Meeting. (Sketch Plat Approval). Mr. St. Martin stated that this is the extension of Rachel Plantation, off of Mia Drive in Bayou Blue. He stated that the number of lots is unsure, but it would be discussed, and he would recommend it at the Thursday meeting. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Brent Callais, and *carried* by a vote of seven (7) yeas and zero (0) nays with two absent, being that of Mr. Matherne who left the room and Mr. Lindel Toups.

The next item (16) on the agenda was a motion to submit Lot Extensions and Redivision of Property Belonging to Todd Brady (20) lot extensions and (2) lots, District 4, Ward 11, to be presented before the July 29, 2004, Planning Commission Meeting. (Sketch/Final Plat Approval). Mr. St. Martin stated this is a lot extension between two existing subdivisions. There are two cross streets that are involved and it does not show them to be extended. Mr. St. Martin's recommendation is to require them to be extended. His recommendation would be denied as presented. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Michael Delatte, and *carried* by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

DISCUSSIONS

The next item (17) on the agenda was a discussion concerning sidewalks. Mr. Daniel Lorraine stated that he wanted to know the rules and regulations on sidewalks. He stated that he did not receive all the paperwork and wanted more information on the bids that were received. He wanted to make a **motion**, pending the deferral, if it expires, that administration look at this and re-bid it one more time. The motion was seconded by Mr. Tommy Lasseigne. Mr. Lasseigne stated that the bid has a 30 days term of quote and it is about to expire on June 30th. Mr. Gouaux stated that Mr. Cheramie had said that he had a problem finding people to place a bid from the beginning. Mr. Gouaux does not want to lose the opportunity of getting the work done or having them go up on the price, as a result of it. The motion *carried* by a vote of seven (7) yeas, one (1) nay, that being of Mr. Michael Matherne, and with one (1) absence being that of Mr. Lindel Toups.

The next item (18) on the agenda was a discussion concerning mobile home park regulations in Lafourche Parish. Mr. St. Martin stated that the Planning Commission has been faced with a number of requests for mobile homes and offices on industrial sites. One such request was from down south in the Port Fourchon area, to where they would not have to come back through a lengthy process of mobile home park regulations. The Planning Commission has suggested that a format be processed for these industrial sites, if they need to add more mobile homes. The mobile homes are strictly for the employees of the company; similar to the offshore workers or helicopter pilots. In order to place these mobile homes, they will still have to have all the approvals of the Fire Marshal and Board of Health regulations. The Planning Commission thought that this process may behoove all parties, since they do not affect any adjoining residences and they are in the middle of the projects within their fences. A proposed ordinance was offered to modify the mobile home park regulations to enable these industrial sites. The Planning Commission can not propose the ordinance; the ordinance would go to the Planning Commission because it is a modification of the mobile home park, but the Council has to ratify it. The Planning Commission is looking for a sponsor, such as a Councilman or the Council, to propose this ordinance, and begin the process. Mr. Atzenhoffer stated that he would be in support of this.

The next item (19) on the agenda was a discussion concerning dirt pits. Mr. St. Martin stated that the Planning Commission had been approached by some residents with some concerns of some open dirt pits. He guessed that it was excavation for sale. The Planning Commission has no regulations on open pits, how close they are to the residences, or whether they required a fence. They are getting bombarded with this and asked if the Council would help. They asked that if the Council has any comments or if it has been an issue with them. It was suggested that they may want to look into the safety aspects of the commercial activity on some open land. Mr. Gouaux asked if the state has any regulations on pits? Mr. St. Martin answered as to it not being within the Planning Commission's subdivision regulations, and that there may be an ordinance on the books elsewhere that addresses it. Mr. Mark Atzenhoffer stated that he is aware of some legislation regarding sandpits within the wetland areas, but he is not familiar with anything in the developed areas. Mr. Gouaux thought that if it is not regulated by the state, that it is definitely in Jefferson Parish. Mr. Lorraine stated that they had looked at this previous years ago and they could not come up with anything. Mr. Atzenhoffer asked Mr. St. Martin for some addresses or locations, so they can look into the problem. Mr. St. Martin agreed. He stated that his biggest concern was of it being a dangerous situation for children, who could fall into the pits.

RESOLUTIONS

The next item (20) on the agenda was a resolution requesting the Lafourche Basin Levee District to sweep and clean the ring levees of debris, trees, and lilies from the Ron Pon Pon to the Bayou Bouef Canal, on both sides of Louisiana Highway 307. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Phillip Gouaux. The Committee **recommended approval** to the Council's said resolution, by a vote of eight (8) yeas and zero (0) nays, and one (1) absence being that of Mr. Lindel Touns.

The next item (21) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to clean the roadside ditches along Louisiana Highway 20, from the bridge at Woodland Heights Trailer Park, North of the Thibodaux City Limits, to the Chackbay Water Tower. A **motion** was offered by Mr. Michael Delatte, and seconded by Mr. Phillip Gouaux. The Committee **recommended approval** to the Council's said resolution by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Touns.

OTHER BUSINESS

Mr. Michael Matherne directed his concern towards Mrs. Randolph, regarding Mr. Preston Roddy's comments. He stated that it is not an issue that is easily resolved. He stated that he appreciates her cooperation. Mr. Brent Callais suggested sending a letter to the Planning Commission, requesting that they put submit not recommend on their items.

A **motion** to recess, was offered by Mr. Michael Delatte, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Touns.

A **motion** to reconvene was offered by Mr. Tommy Lasseigne, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Touns.

Mr. Lorraine stated that he needed a 2/3 to discuss item 17. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Touns.

2/3 AGENDA

Mr. Lorraine offered to adopt a resolution of the lowest bid, which was the LeBros Construction, in the amount of \$9,130, for the repair and replacement of the sidewalk in the vicinity of the Falgout Funeral Home, located in Ward 10, and to approve contracts and authorize the Parish President to sign, execute, and administer said contract(s) and all relevant documents. A **motion** was offered by Mr. Tommy Lasseigne, seconded by Mr. Brent Callais, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

A **motion** to go back to regular agenda was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

Mr. Phillip Gouaux asked the Chairman about the progression of the subcommittee. Mr. Atzenhoffer stated that Council needed all the members to submit the names for the subcommittee. He stated that the Planning Commission has done so. He also stated that it is written that a Council member may sit on this committee. Mr. Atzenhoffer stated that he needed everyone who has not submitted a name to do so, so that they get this project going. Mr. Gouaux stated that he felt this was a very important subcommittee and it needed to be done to move forward. Mr. Brent Callais stated that he agreed and every council member should be required to have their names in by Friday, so they can get the committee organized in a timely fashion. Mr. Michael Matherne stated that he would like to publicly commend Mr. Cleve Matherne, Foreman at the Bayou Blue Barn and the gentlemen and ladies that work in his barn; and also Mr. Terry Arabie, Foreman at the Region B Barn, and the gentlemen and ladies that work in his barn.

ADJOURN

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Matherne, and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee meeting of July 27, 2004, **adjourned** at 6:35 pm.

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

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

The next item (5) on the agenda was to approve the minutes and recommendations of the July 27, 2004 Board of Appointment and Permits Committee meeting. A **motion** was offered by Mr. Michael Matherne, Chairman of the Board of Appointment and Permits Committee, and seconded by Mr. Tyrone Williams, to accept the minutes of the Board of Appointment and Permits Committee meeting. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

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

**TUESDAY, JULY 27, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

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

Mr. Michael Matherne, Chairman, stated that the Board of Appointments and Permits Committee were ready for the transaction of business following the close of the Public Works & Solid Waste Committee Meeting. Proceedings of the meeting were called to order at 6:38 P.M. with the following:

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

ABSENT: Mr. Lindel Toups

A **motion** was offered by Mr. Brent Callais to *deviate* from the original agenda, to go to Public to Address the Committee, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

PUBLIC TO ADDRESS THE COMMITTEE

Mr. Carmedelle stated that he has been a business man in this parish for nineteen years and how tough it is. Mr. Carmedelle said he is opening a business in Des Allemandes and thinks there should be a list to follow. He stated he can not get approval on it. Mr. Carmedelle stated that he wants to do it the right way and he needs the parish's help. He stated that he does not want to face the crabbers, fisherman, and shrimpers. He also stated that he understands that there are many issues like this, but he would like to see something done about it. Mr. Carmedelle stated that he is bringing tourists into the community and he wants help to open a good business. He stated that it is too easy to get a \$100 permit to sell seafood on the side of the road, and how roadside vendors do not have the same rules and regulations as him. Mr. Mark Atzenhoffer stated that the Council has been working on that issue. Mr. Carmedelle stated that the Council should check on St. Charles parish, because they have all been through the same thing. He also wanted to know if all the roadside sellers are paying the right taxes. Mr. Brent Callais stated that at the last Council meeting they approved an Economic Development Department in this parish. Ms. Gretchen Caillouet stated that she would like to meet with Mr. Carmedelle after the meeting to discuss his progress. Mr. Tommy Lasseigne stated that it is a parish wide issue, not just for vendors, but for all small businesses, because it is too expensive to comply with rules and regulation; especially when you do not know which ones you have to comply with. He stated that guidelines need to be established for what should be met. Mr. Lasseigne stated that the government is here to help businesses and we need to work together to get something done. President Randolph stated that it is also part of the compliance officer's duties.

Mr. Cullen Curole stated that the business license office will be under the Department of Economic Development, as soon as they have time to make the transfer.

A **motion** was offered to go back to the original agenda by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

MOTIONS

The first item (1) on the agenda was a motion to ratify the Town of Golden Meadow's appointment of Mr. Morris Guidry to Lafourche Parish Fire District No. 3 to replace Mr. Ruel Douvillier due to his resignation. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Brent Callais to **recommend the appointment** of Mr. Morris Guidry to the Lafourche Parish Fire District No. 3, by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

The next item (2) on the agenda was a motion to appoint Mr. Toby Hebert to fill a vacancy on Lafourche Parish Recreation District No.5 (Ward 6) / advertised. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Mark Atzenhoffer, to **recommend the appointment** of Mr. Toby Hebert to the Lafourche Parish recreation District No. 5, by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

DISCUSSIONS

The next item (3) on the agenda was a discussion concerning the Lafourche Game and Fish Commission. This item was **deferred** to the August 10th meeting.

The next item (4) on the agenda was a discussion concerning wind zones 1, 2, and 3. Mr. Daniel Lorraine said that mobile homes have wind zones; 1 being the weakest and 3 being the strongest. He stated that certain areas of the parish have regulations on where to have a 2 or a 3 wind zone.

OTHER BUSINESS

The next item on the agenda was any business to be addressed. Hearing none, Chairman Matherne moved to the next item.

ADJOURN

On **motion** by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and with no further business the Lafourche Parish Council Board of Appointments and Permit Committee meeting of July 27, 2004, **adjourned** at 6:50 P.M.

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

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

The next item (5a) on the agenda was a discussion concerning the Lafourche Game and Fish Commission. A **motion** was made by Mr. Lindel Toups to **defer** this item, to the next Council meeting, to get more information for the District Attorney to have a more informative discussion.

Mr. Mark Atzenhoffer requested that he stay informed and get any necessary information. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (6) on the agenda was to approve the minutes and recommendations of the July 27, 2004, Finance and Legislative Committee meeting. A **motion** was offered by Mr. Tommy Lasseigne, Chairman of the Finance and Legislative Committee, and seconded by Mr. Michael Matherne to accept the minutes of the Finance and Legislative Committee meeting. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

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

**TUESDAY, JULY 27, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH OF LAFOURCHE**

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

Mr. Tommy Lasseigne, Chairman, stated that the Finance and Legislative Committee was ready for the transaction of business following the Board of Appointments and Permits Committee. Proceedings of the meeting were called to order at 7:00 PM with the following:

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

ABSENT: Mr. Lindel Toups

PRESENTATIONS

The first item (1) on the agenda was Mr. Sidney Triche, Board President of Lafourche Parish Water District 1, with a presentation on methods of funding of 70 million dollars of fire protection and rating improvements for this parish. Mr. Triche gave the following report:

The purpose of this study was to explore in detail the recommendation of the Blue Ribbon Committee. Throughout the history of the water district its mission has been to provide adequate drinking water to the Lafourche citizens within its service area. Early in 2001 the Lafourche Parish Council created the Blue Ribbon Committee to review the various boards of the parish and to give recommendations to the Council on these boards. That committee completed its assignment and presented its recommendation to the Council earlier this year. The Committee's recommendation on Water Board was that the Water Board was doing an excellent job under

their mandate. It is the Blue Ribbon Committee's opinion that the mandate should be changed to have the Water Board responsible to ensure adequate water supply for fire protection and future growth of the parish. This could be self funding and be a savings to the citizens of Lafourche Parish and to assist the Parish Council in evaluating the expansion of the water district's mandate and to establish a minimum level of improvements needed to upgrade the existing water system for water protection and to define possible methods of funding those improvements. It is important to realize that even with the completion of the defined system that improvements of all the fire system protection deficiencies would not be eliminated because they are beyond the scope of the water district. The minimum level of improvements defined in this report concentrates on replacing undersized lines (those under six inches). Adding mains to parish streets which do not presently have mains. Adding fire hydrants to the system and replacing existing two way hydrants with three way hydrants. Portions of the existing distribution system would still exist, where mains would need to be upgraded, to resolve fire protection problems.

This report also defines the projected time frames need to accomplish the defined improvements under each different funding option. We must first understand how the rating system works, if we want to better our rating: In the United States, there is a uniform grading system used to rate fire protection in different political jurisdictions for the purpose of giving insurance companies a basis for establishing insurance rates. The grading system originally developed by the National Board of Fire Underwriters is now maintained by the Insurance Service Office (ISO). In 45 or 50 states, the actual determination of public protection classification is done by the ISO. In Louisiana, ratings are the responsibility of the Property Insurance Association of Louisiana. The fire suppression ratings schedule for public systems consists of three major areas, 1. receiving and handling fire alarms (which only represents 10% of your grade), 2. fire departments (which represents 50% of your grade), and 3. water supply (which represents 40% of your grade). Typically, jurisdictions are rated approximately every 10 years, unless the jurisdictions request a special rating inspection due to significant changes, which would affect the rating. Ratings are expressed in classes ranging from 1 (the best) and 10 (the worst).

Service area housing units – Each housing unit is a customer to the water district. The number of dwelling units within the district service represents a more direct comparison to the number of water customers than does population. In 1960 there were 10,786 dwelling units and 3.7 persons per dwelling. In 2000, there were 28,536 dwelling units and 2.8 persons per dwelling. In the 10th Ward, there are 720.80 square miles and it represents 51.94% of the area, it has 30.56% of the customers, and 11.8 customers per square mile. In Ward 6, there 82.81 square miles, 5.97% of the area, 8.41% of the customers, and 28.3 customers per square mile.

There are nine (9) fire districts, all of which are doing an excellent job. They have all been established by the Council and are directed by a board. The biggest fire district is fire district 3, which represents 777 square miles and is 56% of the area, and comprises part of Wards 4, 8, and 9 and all of Ward 10.

The customer base for the water district has grown from nearly 5,000, when the district began producing water, in 1955 to 28,621 in 2003. There are some small number of customers supplied by other water systems. In June of 2002, operations records reflected 156 customers in the Marydale Subdivision, 83 customers in Grand Bois, both were supplied by Terrebonne Parish water systems; and 13 customers along Highway 3185 were supplied by the city of Thibodaux water system. The sum of all customers supplied by other systems is 0.9% of the

district customer base or 252 customers out of 28,621. The largest growth rate occurred in Ward 5, but that growth has now stopped. Ward 5 is supplied by the treatment plant located on the LA308 side of the bayou, to the South of Thibodaux and to the Lafourche and Assumption line. Presently, Ward 11, Bayou Blue, has the greatest rate of growth. Wards 1, 2, 4, and 9 all experience growth rates at the systems average. Wards 3, 7, 8, and 10 grew at less than the systems average rate.

In 1960, 419 million gallons of water a year was served. In 2000, 3.27 billion gallons of water was served. In 1960, a household averaged 154 gallons usage a day. Today, 343 gallons a day, is being used. In 1992, Port Fourchon used 479,000 gallons of water a day. Presently, 2 million gallons of water a day is being supplied. The entire parish's storage capacity is 8,600,000 gallons of water. Port Fourchon is 9,400,000. Lots of money would have to be spent just to keep up with the drinking water, if the present per capita consumption level is maintained and the present growth level is continued.

Before 1990, there was only one plant and that was the South Plant. Since then, we have a plant in the Thibodaux area. The South plant just upgraded from 8 million gallons a day to 12 million. The North plant was upgraded from 4 million gallons a day to 6 million. About 26 million dollars is being spent right now in upgrading our trunk system and upgrading both plants to be able to supply the demand. Since the beginning in 1955, the district has been upgrading the trunk main system up and down the bayou to keep pace with the growth in demand. The result of that effort has been that customers along Highway 1 and 308 are generally served by larger mains that are for a secondary benefit of fire protection.

Total Pipe Footage, breaks down to, the District's pipe network by Wards into pipe that is 6 inches and larger or pipe that is 6 inches and under. The pipe that is 6 inches and under are those slated for replacement. The total pipe footage is 4,229,000 and 64 feet a pipe. To get better fire protection, 1,188,950 ft. of pipe, which is under 6 inches, would have to be replaced.

There are four situations concerning fire hydrants that have to be addressed. 1. parish street served by lines too small to support fire flows. Those under six inches but they are slated for replacement where fire hydrants would be added. 2. parish street presently without water lines where mains and hydrants would be added. 3. parish streets served by lines adequate to support minimum fire flows, but having hydrants spaced further than 1,000 ft. apart. 4. Replacement of existing two way hydrants with three way hydrants.

Water Main Replacement Program— In 1990, the Water District began a program to replace water lines that were less than four inches in diameter. The program was initially funded at approximately \$300,000 per year, with funds being derived from system revenues not required for system operations, maintenance, or that in service. For the last several years, the annual funding level has been increased to \$500,000, up through fiscal 2004, the program has upgraded over 46 miles of pipe at a cost of nearly 8.5 million dollars. Remaining streets to be utilized to be replaced at up to over 175 miles. This total does not include the 45 plus miles of know state highways and parish streets that do not have water mains.

Within the nine fire districts, within Lafourche Parish, the fire suppression rating classes presently vary from a high of 3 to a low of 7. Fire District 5 scored perfect on fire alarms (10 out of 10), the fire department had a score 25 out of 50. Fire District 4 had a score of 33.13 out of 50. The diversions are to try to balance the score between the fire department and the water supply score, which is the water supply credit minus 80% of the fire department credit, multiplied by 5, which is always a minus.

In reviewing the comments pertaining to the water supply and the rating impact statement

from the Property Insurance Association of Louisiana for different fire districts, most of the comments were made for more than one district. At least two of the comments were made for all the districts, to access how the water district can help the fire district and to improve their individual ratings. A discussion on the different comments on water supply and how they might be addressed gives us a start to maximize the available credits for water supply portion of the rating process. Additional credits can be obtained by inspected and maintaining each fire hydrant semiannually. Generally this comment is a joint responsibility of the different fire districts and the water district. Additional credits can be obtained by testing each draft site and fire hydrants semiannually, with the fire district making the semi-annual inspections and recording the results, and the water district providing the format to follow and being the central repository for the results.

The water supply component of the rating system lies solely on the water district's ability to assist with improvements and existing fire suppression rating classes. Even within that component there are some items, such as, inspecting and maintaining draft sites, which do not pertain to the water district, to test the value of what the district can do to improve ratings.

If all the water districts have a rating of 40 (which is the maximum point received) how would they change? Fire District 1 had a rating of five before and it remains a five. Fire District 2 had a rating of five and went to a four, so it improved one. Fire District 3 also went from a five to a four. Fire District 4 stayed the same. Fire District 5 went from five to four. Fire District 6 improved their ratings by one. Fire Districts 7, 8, and 9 stayed the same.

Probable costs__ The total costs of the improvements described, to achieve the minimum level of fire protection, is just under \$70 million, which amounts to almost \$2,500 each in a per customer basis. This program would not result in maximum water supply credits, while providing extensive improvements to the system, for fire rating inspections because of two primary factors: The first being of the hydrant spacing and secondly the ability to produce fire flows as recommended. Correcting the first concern would require doubling what we have now in addition to about 2,500 more hydrants, costing approximately \$11 million dollars more than the defined minimum level of fire protection. Changing the fire hydrant spacing would be reduced from 1,000 feet to 600 feet. The total program cost would increase to about \$2,850 each, on a per customer basis. The second factor, which is less than recommended fire flows, is very difficult to quantify without getting into a very detailed hydraulic analysis of the district system. However, in an effort of the outside scope of this report, some attempt must be made to establish an order of magnitude cost to solve this issue with the following assumptions, within each ward a percent of the six inch mains have been estimated as needing replacement, the augmenting and replacement would be done by eight inch mains and with those assumptions the cost of increasing fire flows to recommended values would add nearly \$23 million to the improvements. Summing all three components of the improvements gives a total program cost of \$104 million, on a per customer basis a total program cost is about \$3,700 each.

Fire service funding options__ The findings of this report were that the scope of improvements needed for the water system and for fire service would range from at least \$70 million to about \$104 million. Funding for a program of that magnitude, would require new and expended sources of money. There were several options. Option 1 was continuing the current program at \$500,000 a year. Option 2 was revenue bonds. Option 3 was general obligation bonds. Option 4 was ad valorem taxes. Option 5 was special purpose sales tax. Option 6 was rate increases.

Option 1_ continuing present program of \$500,000 a year. The system upgrades would

be funded with income from the present rate structure, using the adopted priority system to first replace three inch lines and smaller than four inch lines to finally six inch mains and other improvements such as fire hydrant replacements and additions. The water district presently funds this program at \$500,000 per year from revenues collected from water system operations and are not need for that service and maintenance and operation of the system. It would take 140 years to complete if the present level of funding is maintained and looking at the lower end of the fire service improvements of the \$70 million and we don't do anything else.

Option 2_revenue bonds. This option would allow system improvements which would be funded with bond money borrowed over specified time window and repaid with system earnings. To support the additional dept rates would have to be increased to generate interest, principal repayment, and death service coverage. Based on recent improvements funded by revenue bonds and without greatly expanding our staff we can handle approximately \$10 million in improvement construction projects every five years. Considering a five year cycle to implement \$10 million of improvements would take 35 years for the \$70 million minimum level improvements program. If this option is combined with option number one which plan to continue then you could reduce it to 30 years. To generate the added revenue for each \$10 million of improvement needed to cover the dept service would require an increase in commodity rates of about 40cents per thousand gallons of water. To accomplish the entire minimum improvements funded by revenue bonds would increase the rate structure ultimately \$1.20 for every thousand gallons of water. Recognizing that at any given time the maximum outstanding bonds would be \$30 million. Looking at the combination of revenue bonds and the replacement program would not change the rate increase but would shorten the time span required to complete the improvements program. It should be recognized that these rate changes would not include the normal increases in operating and maintenance expenses that would also require rate increases. The average terms the typical residential customer now paying \$11.10 per month for water service would see their bills rise to \$19.50 per month for revenue bond funding. In either case the average annual rate of increase over the term of the bonds issues amounts in about 4%. To lessen the impact on the customers that could be increased in increments.

Option 3_ General obligation bonds. This option just like the previous system improvement would be funded with bond money borrowed over specified time window. The difference in the two options is that bond repayment was backed by Lafourche Parish tax evaluation rather than from water system revenues. Using a fifteen year bond term about 2.1 mills are required for each \$10 million dollars of general obligation bonds. If the same improvement program approach was used as discussed with the revenue bond option, \$10 million bonds every five years the improvement program would require 33 years to complete.

Option 4_ ad valorem tax mileages. The water district presently charges 3.81 mills under the amino tax. In 2002 and 2003 the mileage produced \$1,037,580 and \$1,213,974. On a per/mill basis the annual amount were 272,331 for 02 and 318,628 for 03. Under the voter approved ad valorem tax the water district could set a maximum of 5 mills or 1.19 mills above the present rate. At the 2003 per mill tax revenue the additional 1.19 mills would generate 379,167 dollars. If the amino tax set at highest level presently allowed, those funds combined would present \$500,000 the district is using to fund upgrades the total would be \$879,167. It would take us 80 years. It should be noted that the present amino tax authorization expires next year. To continue the tax would require approval by the voters in 2005. Should that not occur the districts rate structure would have to be increased significantly to offset the income generated by the amino tax. For the average customer this mean about a 15% increase in rates.

Option 5_ special purpose sales tax. According to the collection history for Lafourche Parish prepared by the sales and use tax department of the Lafourche Parish School Board. Sales taxes collected in Lafourche parish in the water district service area (entire parish except for the city of Thibodaux) in calendar year 03 amounted to \$6,500,000. If a special purpose sales tax of 1% were established to fund fire service improvements the tax would generate \$6,500,000 per year. For the \$70 million minimum level of improvement the tax would have to remain in place for about ten years.

Option 6_ rate increases. The water district presently sell 3.3 billion gallons of water per year. In one thousand gallon units basis for the commodity rate scheduled that represents 3.3 million units. Therefor for each ten cents increase in commodity rate, the water district can expect \$330,000 in added revenue. To generate a million dollars per year would require an increase in commodity rate of 30 cents per thousands gallons. For the average district residential user who consumes 7 thousand gallons per month their bill would increase by \$2.10 per month from the present amount of \$11.10 to \$13.20. On a percentage basis that amounts to nearly 19% increase. With the additional one million dollars annual funding when combined with funding number one would reach \$1.5 million and take 47 years to complete the \$70 million program.

For the average citizen or business in the water district service area the system improvements of fire protection described earlier in this report can have two primary benefits. One can be estimated as to its value while the other was nearly impossible to measure. The measurable benefit is the impact the improvement would have on our insurance rates. The difficult to measure benefit is the individuals piece of mind that he has improved fire protection near his home. To establish an estimate of potential savings in home owners insurance premiums the water district requested three different three different insurance agents representing three different insurance companies to give quotes for a \$80,080,000 dwelling (which is the medium home value for Lafourche Parish in the 2000 census) in a fire suppression class of 3, 5, and 7. In addition to responding to the districts request two agents provided quotes for a \$100,000 dwelling in the same three classes. One agent also provided a comparison for a frame dwelling as well. From these quotes average annual insurance rates per one dollar of value were calculated for classes not having direct quotes. Typical annual premium values were found to be around 1% of the dwelling value with a variance ranging from 0.7 on the low end to 1.35 on the high end, depending on the construction type and the fire suppression class. With the distributions of dwellings by value by ward and an estimate of the insurance premiums per suppression class, the next step was to calculate the possible premium savings. In wards were the protection class would change due to the improvements in the water supply component of the class rating system. The total annual parish wide reduction and residential premiums calculated to be \$977,013. For the average dwelling the reduction was \$44 per year ranging (depending on the dwelling value) from \$3.59 per year on the lower end of the scale to \$822.33 on the high end of the scale. The medium value dwelling of \$80,000 would enjoy a premium savings of \$57 per year. Another factor in considering the premium savings is the time line needed to implement the fire service improvements necessary to affect the change in the class rating. Savings would not be achieved quickly and mean for some years of waiting until the improvement upgrades are sufficient to bring about lowering of class ratings.

Since the passage of the Clean Water Act more stringent guide lines have come down to clean our drinking water a lot of the water district in the United States right now are in trouble. No further than St. John the Baptist Parish if they don't clean up their water quickly, they would

be fined \$3,000 a day for every day not in compliance. When the federal mandates came down that they had to reduce the consistigens in your water from 0.8 to 0.6. All the water districts were scrambling to comply, but our water district was already there. Last year it was voted the number one best drinking water in the state of Louisiana.

Mr. Tommy Lasseigne questioned how did they factor in for the cost of the individual homes for Port Fourchon in the evaluations, since it was obviously a significant portion of the revenue. Mr. Triche stated that Port Fourchon was 42% of the revenue, and that was another area that would have to be carefully planned for when choosing the funding options. He stated that this was one of the many things that they have to address, but it needs to be considered; and together they can come up with a master plan for the parish. Mr. Phillip Gouaux stated that he appreciated Mr. Triche, Mr. Dirk Barrios, and their committee. Mr. Matherne stated that he met with Mr. Dirk earlier in the year. Mr. Matherne asked, with a minimum of 6 inches for fire fighting, do rates additionally go down as the size of the pipe goes up? Mr. Triche responded that it depends on the fire flow, and that would be the most expensive part of it. It would cost an additional \$23 million, if the match of the fire flow was done as recommended. Mr. Mark Atzenhoffer stated that fire engines have a 1,500 gallon per minute pumps on them. He also said that if we only supply four or five hundred gallons a minute, that our fire ratings are still not going to change.

MOTIONS

The next item (2) on the agenda was a motion authorizing Phillip Gouaux as President of the Police Jury Association of Regions 1 and 2 to proceed with the planning of the Police Jury Region 1 and 2 meeting and luncheon, and with any and all contracts to be executed by the Parish President associated with this function. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Brent Callais, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

The next item (3) on the agenda was a motion requesting the Parish President to start informal negotiations regarding cable franchise agreements. A **motion** was offered by Mr. Michael Matherne, and **seconded** by Mr. Mark Atzenhoffer. Mr. Matherne stated that we currently have three cable franchises located in Lafourche Parish, a small portion is with, most of the Parish is with Time Warner and Charter Communications. He stated we have a franchise agreement allowing them to operate in the parish, although we can not control the rates, we can control the services we expect from those cable operators. It states on the franchise agreement, that the grantee shall provide one PEG (Public Education and Government) channel for the cable system for use by the franchising authority for non commercial, video programing, for public education, and government access. That was generally how the Council expects those cable providers to broadcast its meetings. It also states that the grantee may use the designated PEG channel if there was no other demand on it. Also, the grantee shall provide appropriate insertion equipment at the cable head end for the PEG channel. Mr. Michael Matherne stated that Charter Media has not provided a delay of our council meetings in about three months, but traditionally they were doing it on Fridays on the PEG channel. The Council has not received that service in quite some time. Mr. Matherne stated that he would like to start informal negotiations between the Adminwastration and those franchises to clearly identify the Council's expectations. Mr. Matherne also stated that he would like the administration to explore the cost of having live broadcasting. Mr Tommy Lasseigne asked if there are any conflicts with Charter? Mr. Michael Matherne replied with an answer of no. Mr. Mark Atzenhoffer stated that he would like to broadcast meetings on the internet. Mr. Brent Callais would like to commend Vision communications. The **motion** was **carried** by a vote of eight (8) yeas and zero(0) nays with one

absence (1) being that of Mr. Lindel Toups.

DISCUSSIONS

The next item (4) on the agenda was a discussion concerning all contracts signed by the Parish President that were not approved by the Lafourche Parish Council. This item was *deferred* to a later date.

The next item (5) on the agenda was a discussion concerning salaries of 2008. Mr. Michael Matherne stated that he contacted the surrounding 7 parishes (Lafourche, Ascension, Assumption, St. Charles, St. James, St. John, St. Mary, and Terrebonne) and looked at their population, how many council members they had, and how many people the council members represents. Also, what their monthly salary was and investment per constituent, which was the monthly salary divided into constituency (\$800 a month salary, you represent almost 10,000 people, which comes to .08, which was a ratio of the people you represent compared to the salary). Mr. Matherne feels that it was important to offer attractive salaries for all public service employees. Mr. Phillip Gouaux stated that looking at the dollars, that nobody was getting rich off of public service. He also stated that he did not run for the money and he does not believe anybody there ran for the money, and that the increase of salary would only serve as a means of moneys that would be used to work for the parish.

RESOLUTIONS

The next item (6) on the agenda was a resolution authorizing the issuance of not exceeding fifteen million dollars (\$15,000,000) of Road Bonds of the Parish of Lafourche, State of Louisiana; making application to the Louisiana State Bond Commission; employing Bond Counsel; and providing for other matters in connection therewith. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. Mr. Phillip Gouaux asked why 15 million? He stated that previous estimates said 12.5 million. Mr Gouaux stated that he was under the impression from our Bonding Counsel that we could exceed this year over 8 or 9 million. Mr. Tommy Lasseigne stated that it does not exceed 15 million. Also, he stated that you can bond whatever you want. Mr. Gouaux stated that he would not want to freeze Road Royalty funds. He also stated that we can use these from account to account. He stated that he wanted to be careful not to lock up all these funds. Mr. David Wolfe, Attorney with Adams & Reese in New Orleans, stated that at the request of Mr. Lasseigne he had put together some information over the last couple of months about the Parish's options for financing capital improvements in general, not just roads. He stated that the Royalty Road Revenues are presently being used to pay off bonds. A large number of those bonds would mature next year. An access of \$600,000 of those moneys would be freed up in 2005 and can be used for other purposes including supporting a new bond issue without impacting your operating revenues in any way. It would n't be enough to support \$10 to \$15 million dollars of bonds, but it would go a large way towards paying for some of those bonds. Any major capital improvement program was going to require a commitment of funds to support bond issues or an annual out lay. The balance that you are trying to make is whether you can finance things on a pay as you go basis or whether you want to anticipate future revenues, borrow money and accomplish the capital improvements over a shorter period of time. Mr. Wolfe stated that they are delighted to have the opportunity to work with the parish on this program and possibly others in the future. This resolution does not issue the bonds, does not set the final details of the bonds, but basically is a resolution to start the program rolling. He stated that if this resolution was adopted, they would begin working with the Administration, the Finance Committee, and the Council as a whole, on putting together a bond issue, that is payable from the source of revenues and is in the proper

amount, and structured in the way that fits in with the parish's overall plans of capital improvements. Mr. Wolfe's impression, based on preliminary discussions, is that Royalty Road Revenues would probably be the primary source of repayment for any bond issue that the parish does. He stated that this resolution would simply start the ball rolling on the program and allow to make an application to the State Bond Commission, once some of the details have been set. Also, it would include a certain recital that was important under federal law in the event that you want to reimburse some of the expenditures that your currently making now with bonds that may be issued some months down the road. Mr. Cullen Curole stated that there are a couple of things that are of concern and one of them was the 20 year factor. He found it to be odd that the Parish was financing road projects for 20 years, because 10 or 12 years from now, they would probably need to be redone again. He asked the Council, if they would want that leverage? Mr. Wolfe stated that more than likely it would not be 20 years and that it was just for the bond application process. He also stated that the perimeters in this resolution are intended to be broad, so that if a bond commission approval would be presented, within these perimeters, it would cover any conceivable structure that needs to be done. Certainly it was understood that road improvements may not have a useful life of 20 years and it would be inappropriate to finance those kinds of improvements over that long a period of time. Mr. Cullen Curole asked what was the specific process and how many times would it come back to the Council for approval? Mr. Wolfe answered that it would come back for at least two meetings; one for introduction of an authorizing ordinance that would set all the details for the bonds, and then again for the final adoption of that ordinance. He expected that before that time was reached, there would be another meeting, at least for a resolution, that would approve final proceeding with the final details; the exact term, the exact structure, the exact source of repayment, and the exact amount. Mr. Wolfe said that there was an issue about whether or not the entire amount of bonds could or should be sold this calendar year and there may be some advantages to splitting the issue into two series to keep the total issuance for the year 2004 under \$10 million with the balance to be done next year or the following year. He then said that those benefits may be so small, that the additional costs or risks of interest rates going up, may out way the benefits of splitting te issue up. Mr. Michael Matherne offered an amendment to Section 3 (Bond Counsel)that the parish would requests for proposals for Bond Counsels and come back to committee. The amendment failed for lack of second. The committee **recommended approval** of said resolution by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

The next item (7) on the agenda was a resolution authorizing the Parish President to sign a contract(s) with Nicholls State University to host the Police Jury Association Region 1 & 2 meeting and dinner on September 10,2004. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. Mr. Cullen Curole requested for an amendment to change contract to contract(s) which was moved by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. The committee **recommended approval** of said resolution as **amended** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

The next item (8) on the agenda was a resolution requesting legal opinion from the Lafourche District Attorney to determine whether or not all contracts that were approved and signed by the Parish President without Council approval would need to be presented to the Council for ratification. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. Mr. Callais stated that if the Parish President would let the Council view the contracts that she had signed, let the Council approve it, and that it would not have to tie up the District Attorney's time to looking over this. He asked that a compromise be made in some way, shape, or form. Mrs. Charlotte Randolph stated that they would do everything expected to make these contracts legal and binding, to make

them happen. She also stated that they would present them in whatever form the Parish Council wanted them. She asked the Council, when looking at the list, to determine which ones they felt needed to be reviewed or discussed. Mr. Daniel Lorraine stated that all the contracts came to the Council and that they did have a previous opinion from the D.A., saying that all contracts have to be approved. He wanted the problem corrected and wanted to see the contracts to identify the location and who they belonged to. Mrs. Charlotte Randolph stated that her only concern was that it would sometimes delay the process, because Administration would have it for a period, prior to getting on the agenda. Mr. Daniel Lorraine stated that the Council does not have to review anything under \$50,000. Mr. Mark Atzenhoffer stated that the Charter provides for the guidance. He stated that the Council, through the ordinance process, can determine the parameters for the contracts. Mr. Atzenhoffer said that everybody should come together, with parameters to agree on, pass an ordinance, and move on. Ms. Randolph stated that next year's budget is going to be very detailed, so that the Council would know in advance what contracts would need to be signed and approved. Mr. Daniel Lorraine moved to *rescind* his motion, seconded by Mr. Brent Callais, and *carried*.

The next item (9) on the agenda was a resolution authorizing JBC/AIA a Notice to proceed for architectural services for the Gheens Branch Library; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and *carried*.

Two-Third Agenda

Item one (1) on the 2/3 agenda was a presentation of monthly report of parish finances required by Lafourche Parish Home Rule Charter. Ms. Shannon Chaisson, Finance Director, stated that the finance report was supposed to be given at the last meeting, which was held on June 30th. The numbers did not reflect the Heck settlement, because it was settled after June 30th, and some of the changes are civil case fees that were listed as appearance and bond forfeitures. The operating supplies were over budgeted; which was the cost of housing juveniles (cost \$80 to \$100 per day). Juror witness fees can be applied to a separate bond (1-12) that currently has \$22,000. The reimbursement of some rights has a cash posting error. Note that the drainage fund in 104; line items for fuel and for sand are over budgeted, which was due to the rain fall and the increase in the amount of fuel that was needed. She stated that in August, we would receive our assessment from the assessor for the reassessment that was done, so Administration would have a better handle on what the revenue should be. Council would know at that point what the status was and if any corrective action was needed. Ms. Chaisson reviewed a pie chart, and went over the sales tax collections. She stated that the finance department has met with the auditors and changes would be made. Then, she said that Administration was striving to have the budget to the Council by October 1st, so the Council would have time to review it. Mr. Lorraine asked who picks up the tab on the sewer districts? Ms. Chaisson answered the general fund. She said that the deficit has built up over time, and they are projecting it at \$107,000. Mr. Lasseigne asked if the solid waste fund would be facing a deficit? Ms. Chaisson replied as to it depending on when the money comes in and that it was at 40% now. Mr. Lasseigne stated that the year was 50% gone. Ms. Chaisson stated that the 3rd quarter was the highest peak. She anticipated that the budget would be close. Mr. Daniel Lorraine stated that every year we are spending 1.5 or 1.7 million dollars more than we are taking in. He stated that the Council would have to look at this real hard, and that something would have to be done soon. Mr. Gouaux stated that in the near future, the subcommittee that has been formed to look at those contracts; would be bringing forth to the council, a solution to that problem.

Item two (2) on the 2/3 agenda was a resolution authorizing Mr. Brent Callais as Chairman of

the Veterans' Memorial District, to hire an appraiser, to appraise the property that the Veterans' Memorial District was interested in purchasing, and authorizing the payment thereof. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas and zero (0) nays with one absence being that of Mr. Lindel Toups.

Item three (3) on the 2/3 agenda was a resolution approving J. Wayne Plaisance to survey the property that the Veterans' Memorial District was interested in purchasing and to authorize in the payment there of. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and zero (0) nays with the absence of Mr. Lindel Toups.

Item four (4) on the 2/3 agenda was a resolution authorizing the Parish President to sign and administer a contract(s) with Golden Motors, Inc., to purchase two mini buses for the Veterans' Memorial District and to authorize a payment thereof. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr Callais stated that the Council received the bids for the Veterans' Memorial District's mini buses. He said one bid for the mini buses was from Golden Motors, for the two buses that was to be purchased, at \$40,300 a bus. The resolution **carried** by a vote of eight (8) yeas and zero (0) nays with the absence of Mr. Lindel Toups.

Item five (5) on the 2/3 agenda was a resolution authorizing the Parish President to negotiate, sign, and administer a contract between the parish and Otto Candies in order to maintain the public portion of Eagle Island Road, Ward 11 of Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** by a vote of eight (8) yeas and zero (0) nays with the absence of Mr. Lindel Toups. A **motion** was made by Mr. Mark Atzenhoffer to **amend** the resolution to say Otto Candies, Inc., seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas and zero (0) nays with the absence of Mr. Lindel Toups.

A **motion** was offered by Mr. Brent Callais to go back to regular agenda, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of eight (8) yeas and zero (0) nays with one (1) absence being that of Mr. Lindel Toups.

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was Public to address the Committee. Mr. Dwayne LeBouef, Vice President of the Humane Society, asked about the progress with the animal shelter? Mrs. Charlotte Randolph answered that the architect had reported to the Committee and Administration would be sending out a letter to receive a request for proposals. Mr. LeBouef asked if it was definitely being built in Thibodaux. Mr. Phillip Gouaux stated that the decision was to be made based on the money that could be acquired, if in fact, it was to be built within the corporation of Thibodaux. Mr. Michael Matherne stated that the Lorio Foundation only funds projects in Thibodaux. Mr. LeBouef asked if the facility would accommodate all of Lafourche Parish. Mr. Gouaux stated that the incorporated areas are not obligated to fund any of the animal shelter. Mr. LeBouef stated that they were under the impression that the Lorio Foundation had put up \$150,000 to the city of Thibodaux, and that the Humane Society was concerned as to how much of that was going to the shelter. Mr. Cullen Curole asked what would it cost? Mrs. Charlotte Randolph answered about \$400,000. Mr. Matherne stated that as the project progresses, that Council was going to ask for some civic organization, to partner with the animal shelter, to act as their sister organization. Mrs. Randolph offered a report to the Chairman and the Council at the next meeting.

ADJOURN

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Delatte, and with no further business,

the Lafourche Parish Council Legislative and Finance Committee meeting of June 22, 2004, **adjourned** at 8:52 P.M.

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

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

PRESENTATIONS

The next item (7) on the agenda was a presentation by the Candidate(s) for Congress to address the Council. Mr. Craig Romero addressed himself as the Senator from Iberia and St. Martin Parish, has been in Louisiana Senate for eleven years, and Parish President for nine years before then. He lives with his wife and seven children in New Iberia. He said that they are very active in 4-H, with their children, and that they show cattle all over the region. Mr. Romero stated that he was Chairman of the Committee of Natural Resources for the last eight years in the Louisiana Senate. He then said that he has been involved with a lot of oil and gas issues because the Department of Natural Resources and the Department of Wildlife and Fisheries comes under the Natural Resources Committee. He continued by stating his involvements in different bills and some of his other interest.

Chairman Toups recognized the Sheriff, Craig Webre and Representative, Warren Triche.

The next item (8) on the agenda was a presentation by Mr. Joey Richard, Postlethwaite and Netterville, to present the 2003 Audit. Mr. Richard, auditor for Lafourche Parish Council and Lafourche Parish, stated that the Council should have been received copies of the completed audit report for the year ending December 31, 2003. He stated that the report was divided into two separate reports and he went over them. The larger report is a report on the financial statements; which consist of a general fund, 15 debt services funds, 30 special revenue funds, 12 special assessments funds, 10 capital projects funds. The smaller report is a report on federal funds. Mr. Richard then explained the "qualified opinion based on component units"; which means that there are separately incorporated units of Government within the Parish, which should be included in the financial statements to have a clean opinion on the whole Parish. The report is on the primary government, which is the Lafourche Parish Council, and it has certain activities that were excluded (recreation departments, fire departments, hospital and ambulance services, etc.). Mr. Richard said that a list was provided for the units that were excluded on page 24 of the financial report. He explained a GFOA Certificate of Achievement, given by the Government Finance Offices Association, what would need to be considered to receive it, and the benefits of one. He said that the chart of accounts would be revised in the future to be more consistent with charting. Mr. Richard stated that the financial conditions of the Parish were good and the response of the findings were satisfactory. Discussions and clarifications followed.

Chairman Toups allowed a presentation by another candidate running for Congress, Mr. Damon Baldone. Mr. Baldone introduced himself as a 39 year old, State Representative for Terrebonne and Lafourche Parish. He stated the schools he attended and graduated from, that he is a Bayou Boy, has lived in Terrebonne and Lafourche Parish all his life and that is where he will live and die. It was his opinion that he is the best candidate because he knows the area and its problems.

Chairman Toups then requested Mr. Greg Serigny, with the Office of Emergency Preparedness, give an update on the storms in the Gulf of Mexico. Mr. Serigny did so.

The next item (9) on the agenda was a presentation from Members of the Legislative Delegation regarding issues addressed at the 2004 Legislative Session that effect Lafourche Parish. Representative, Warren Triche began the presentation by stating the difficulty of putting together the parts of Legislative Session of most interest. He said that \$2.5 million was going to be appropriated for land acquisition for Nicholls State University. Representative Triche went over several areas and projects that were addressed: the Raceland AIG Center, the rural development funds, the animal shelter, Chabert Medical Center Hospital, minimum foundation formula money, higher education funding, child support issues, constitutional amendments of laws, anti-human cloning law, mental health and regular health clinics, developmental centers, the Superintendent of Orleans Parish School Board, graduation certificates, employment of minors, Office of Elderly Affairs, the TOPS awards program, retirement systems. A brief discussion ensued. Representative, Reggie Dupre said that he goes to his local governing authority after a Legislative Session to give a report of what happened in Baton Rouge and some of the major issues that were dealt with personally. Representative Dupre said that Parish President Randolph and himself had just attended a ribbon cutting for a new \$900,000 Public Works project in Lafourche Parish, as part of the Coastal Impact Assistance Program, a boat landing was opened. He continued his presentation by stating other projects that are being considered and bills that were passed. Representative Dupre went into extensive details on homes being homestead exempt. Representative, "Butch" Gautreaux said that he was the newest member of the delegation. He stated that he had taken the lead to get the Advanced Technology Center funded at Nicholls State University. Representative, Damon Baldone said that Lafourche Parish had an excellent delegation because all of the Representatives work together. He stated that Lafourche Parish poises very well because of the key members on the Revenue, Physical, and Finance on Senate (Reggie and Butch) and himself on the House. Chairman Toups thanked the Representatives for coming and giving a good report. Discussions followed.

The next item (10) on the agenda was a presentation by Mr. Tim Osborn with NOAA to address the Council regarding elevation surveys performed in Lafourche Parish. Mr. Osborn thanked the Council for the opportunity to come and give a short briefing on some of the work being done in the recent area. He said that one of the issues that Lafourche Parish was facing was the increasing vulnerability to coastal flooding, storm surges, and wetlands/resources being lost to erosion along the coasts. Mr. Osborn stated the fact that Louisiana is moving downward in terms of vertical elevation, which is a Louisiana issue that can be seen all the way into Alabama, Mississippi, and Texas. He went into detail of the plans of surveys and how they were calculated. Mr. Osborn said that Lafourche Parish assisted in doing the surveys, Public Works crews and other people. The equipment and knowledge on how to use them were provided by NOAA. The surveys were done within 90 days (14-20 people using 14-20 GPS receivers) and the data is now being processed. The results (republishing) of the actual elevations will occur at the end of the year.

The next item (11) on the agenda was a presentation by the South Central Planning and US Army Corps of Engineers regarding EPA Sewer Grant application. Mr. Kevin Bellanger with SCP, started his presentation by saying that SCP was there to ask the Council for consideration for a resolution to participate in a regional waste water analysis. He said that a grant was received by the federal government through EPA. Mr. Bellanger further stated that the grant was approved, but they have to apply through an application, to make the scope of services known, where and what they planned on using the money on. He handed out a report to the members of the Council and said that the cost estimate was a two prong approach. Mr. Bellanger asked for participation from the Council in both prongs, (1) an evaluation of feasibility study and (2) implementation. Discussions ensued. Mr. Jerome Danos spoke about the meeting in Terrebonne Parish that he attended last week and he

said it seemed to be a good opportunity to update the plans, because there is a serious issue in the parish with waste water treatments that will not get better until it is addressed. He said this study would avail Lafourche Parish to some possible funding at a 75-25 match. Mr. Danos asked Council to consider that Lafourche Parish is in the sewer business and directly responsible for five community packaging plants through the LCDBG program, which are operating in the red.

PRESIDENT REPORT

The next item (12) on the agenda was a presentation of the monthly report by the Parish President as required by the Lafourche Parish Home Rule Charter, Article II, Section B, Item 2, which states: "The president shall submit monthly reports to the governing authority on parish finances and may require any parish officer or employee to report to the governing authority when necessary for the proper administration of the parish". Ms. Shannon Chiasson stated the financial package included the financials, the updated fund balances, projected fund balances also included the affects of the supplemental appropriations that were going to be discussed on the agenda that evening, and sales tax revenue information. She said operating supplies were over budgeted because small equipment has been put under that category, and will be under a separate line item in the future. Ms. Chiasson stated that there was a memo in the sales tax revenue section that explained the increase in the revenues because of a Chevron audit, that will be possibly refunded. A brief discussion ensued. President Randolph stated that the list of the contracts, that were received, were dispersed to the Council members and to let Administration know if the actual contracts would be needed.

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

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (13) on the agenda was an ordinance to authorize the Parish President to enter into an Act of Cash Sale to acquire property in the facilitation of the FY02 LCDBG Program, Morristown Community Sewer System, Raceland, Louisiana; and to execute any and all documents pertaining to said Act of Cash Sale (DEFERRED FROM 07-13-04 LPC MEETING). A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to **defer** this item, and carried by a vote of nine (9) yeas and zero (0) nays.

The next item (14) on the agenda was an ordinance making it mandatory for a Parish Monitor to monitor all Oil and Gas Construction and/or Fabrication of oil and gas pipelines, gas compressor station, dredging of oil field canals and any other oil and gas project that shall have an impact on Lafourche Parish. This Parish Monitor will be selected by the Administration and funded by the contractor performing the work; and authorized the Parish President to sign any and all necessary documents (DEFERRED FROM 07-13-04 LPC MEETING). This item was **deferred**.

The next item (15) on the agenda was an ordinance ordering and calling a special election to be held in the Parish of Lafourche, State of Louisiana, to vote upon the adoption of a proposed revised Home Rule Charter; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. There was an **amendment** to the ordinance that needed to state changes in page A-3 of the Parish of Lafourche Polling Places to read "*Lockport Middle School*", instead of Lockport Junior High School, and page A-4 to read "*Golden Meadow Middle School*", instead of Golden Meadow Junior High School, "*Larose-Cut Off Middle School*",

instead of Larose-Cut Off Junior High School, and to add, “*Golden Meadow Old Settlement School, 2986 HWY. 1, Golden Meadow*”. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to accept the amendment. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said **amended ordinance** by a vote of nine (9) yeas and zero (0) nays. The Council **adopted** said ordinance by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3462 ELECTION FOR HRC

The next item (16) on the agenda was an ordinance instituting a moratorium on all future Heliports from the Intracoastal Canal South to Louisiana Highway 3161 (Cote Blanche connection) and from Louisiana Highway 1 West to the South Lafourche Levee District’s levee, consisting of all property adjacent to Louisiana Highway 3235 until December 31, 2006. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. An **amendment** was offered by Mr. Brent Callais to change the wording to read “*aviation facilities*”, instead of Heliports, to change the year from 2006 to “2005”, and to add, “*upon approval from the District Attorney’s Office*”. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, to accept the amendment. A detailed discussion ensued on concerns of passing the moratorium. The Council **adopted** said **amended ordinance** by a vote of nine (9) yeas and zero (0) nays. The Council **adopted** said ordinance by a vote of seven (7) yeas and two (2) nays, that being of Dr. Tommy Lasseigne and Mr. Phillip Gouaux.

ORD. NO. 3463 AVIATION FACILITIES

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine, and **carried** to **close the Public Hearing section** of the meeting.

Next, a **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to **deviate** from the original agenda, to go to item (70) under Motions, and **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (70) on the agenda was a motion to grant or deny the following variance requests:

a) Allen Thibodaux Lot Extensions – Variance not to extend West Avenue B (cross street) due to an existing shed located on the slab. (Ward 10, District 8) The Planning Commission **recommended** the variance contingent upon Lot LE X (cross street lot extension) being taken out and should there be future development, then the cross street has to be extended. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Ms. Pat Matherne, Planning Manager, clarified some concerns of the Council. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

b) Dugas Subdivision, Addendum No. 2, Phase 1 – Variance from minimum lot size being less than 12,000 square feet, lot frontage being less than 60 feet, side yard dimensions being less than 5 feet. (Ward 2, District 4) The Planning Commission **recommended** the variance to the Council. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Mark Atzenhoffer. Ms. Matherne clarified the minimum requirements. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

c) East 49th Street, Addendum No. 1 – Variance to allow the minimum road right of way to be 40 feet instead of the required 50 feet so that the proposed development would remain consistent with the existing subdivision. Also, a variance to allow no aggregate shoulders is being requested so that the proper drainage ditches (existing) will fit in the road right of way (Ward 10, District 8).

The Planning Commission **recommended** the variance to the Council. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of nine (9) yeas and zero (0) nays.

d) Bayou Meadows Subdivision, Addendum No. 2 – Variance to allow the minimum road right of way to be 40 feet instead of the required 50 feet so that the proposed development would remain consistent with the existing subdivision. (Ward 10, District 8) The Planning Commission **recommended** the variance to the Council. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of nine (9) yeas and zero (0) nays.

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

ORDINANCES FOR INTRODUCTION

The next item (17) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the Rachel Plantation, Addendum No. 3, Phase D, Ward (11), District (4) of Lafourche Parish. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

The next item (18) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the Algiers Commercial Subdivision, Addendum No. 1, Ward (1), District (1) of Lafourche Parish. A **motion** was offered by Mr. Tyrone Williams to introduce the above stated proposed ordinance.

The next item (19) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the Lee Leger Subdivision, Ward (10), District (9) of Lafourche Parish. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

The next item (20) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the James Plaisance Subdivision, Ward (3), District (5) of Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (21) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the Gaspard Subdivision, Ward (9), District (7) of Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (22) on the agenda was a proposed ordinance to accept into the parish system the subdivision known as the Redivision of 1.118 Acres into Lots A, B, & C, Belonging to Jason Rodrigue, Ward (9), District (7) of Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (23) on the agenda was a proposed ordinance to accept into the parish system East 96th Place, Ward (10), District (9) of Lafourche Parish, State of Louisiana. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

The next item (24) on the agenda was a proposed ordinance to authorize the Parish President to sign a surface lease agreement with the Lafourche Parish School Board Office for the use of the Raceland Landfill property for a period of six (6) years with an option to renew for an additional five (5) years. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (25) on the agenda was a proposed ordinance to amend and re-enact Section 15:26(A) of Sub-Chapter “B” of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council as it pertains to the rules and regulations governing fireworks in Lafourche Parish. A

motion was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

The next item (26) on the agenda was a proposed ordinance authorizing the Parish to acquire ownership of the Chackbay 101 Project from Lafourche Parish Drainage District No. 6; and authorizing the Parish President to sign any necessary documents. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

The next item (27) on the agenda was a proposed ordinance establishing a speed limit of fifteen (15) miles per hour on East 97th Street, Ward 10, District 9 of Lafourche Parish; requiring the placement of “Speed Limit”, “Speed Checked by Radar”, and “Caution Children at Play” signs; and providing penalties for the violations thereof. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

The next item (28) on the agenda was a proposed ordinance authorizing the Parish to acquire property from Mrs. Betty H. Boudreaux and Mrs. Dolly H. Gisclair for the Veteran’s Memorial District in order to build a monument at a cost of ____; and authorizing the signing of all pertinent documents associated with the ordinance. The above stated proposed ordinance was *withdrawn*, and will be proposed at the August 24th meeting.

The next item (29) on the agenda was a proposed ordinance establishing a declaration of public policy, the Lafourche Parish Council does hereby confirm the authority of the Lafourche Parish President, the Parish Administrator and the Director of the Department of Community Services to supervise, manage and when necessary direct the Community Action Agency and its Executive Director (DEFERRED FROM JULY 13 LPC MEETING). A **motion** was offered by Mr. Tyrone Williams to introduce the above stated proposed ordinance.

The next item (30) on the agenda was a proposed ordinance establishing a 35 miles per hour speed limit on all motor vehicles traveling on Martinez Road, Ward 11, District 4 of Lafourche Parish; and providing for the necessary signs and penalties. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

The next item (31) on the agenda was a proposed ordinance rescinding Ordinance No. 3440 and establishing a 25 miles per hour speed limit on all motor vehicles traveling on Ozia Skyline Drive, Ward 11, District 5 of Lafourche Parish; and providing for the necessary signs and penalties. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

Chairman Toups requested that Mr. Brent Callais take over the meeting.

The next item (32) on the agenda was a proposed ordinance creating Special Service District No. 1 of the Parish of Lafourche, State of Louisiana; designating its boundaries, jurisdiction, authority, the governing authority of the District and the general powers of the District; and providing for other matters necessary in connection therewith. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (33) on the agenda was a proposed ordinance ordering and calling a special election to be held in the Parish of Lafourche, State of Louisiana to authorize the rededication of the proceeds of a special 2.64 mill tax in the Parish. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (34) on the agenda was a proposed ordinance ordering and calling a special election to be held in Special Service District No. 1 of the Parish of Lafourche, to authorize the rededication of the proceeds of the tax heretofore collected by Road Lighting District No. 1 so that such proceeds may also be used to abate and/or control public nuisances in the rural areas of the parish. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

The next item (35) on the agenda was a proposed ordinance authorizing the Parish President to administer and sign leases as it pertains to polling precincts. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

The next item (36) on the agenda was a proposed ordinance providing for the consolidation of certain precincts; to designate polling locations therefore; and to further specify the effective dates of same. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

The next item (37) on the agenda was a proposed ordinance accepting into the parish system a subdivision known as the "Legendre's Bon Vivant Subdivision", Ward (1), District (2) of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

The next item (38) on the agenda was a proposed ordinance accepting into the parish system a subdivision known as the "Resubdivision of Tract "B" into Tracts "B-1" and "B-2" and Tract "A-1" being a Lot Extension Belonging to Carroll Dantin", Ward (1), District (2) of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

The next item (39) on the agenda was a proposed ordinance enacting Section 15:25 of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council stating that it shall be unlawful for any person to urinate in public, in view of the public, on the outsides of public buildings, or in any place other than in the proper facilities; and to provide for penalties thereof. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (40) on the agenda was a proposed ordinance granting authorization to the parish to clean, sweep and/or dig roadside ditches in Lafourche Parish; and providing penalties for those who interfere with said parish work. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

The next item (41) on the agenda was a proposed ordinance amending and re-enacting Section 2:200 (A) of Sub-Chapter "C" of Chapter 2 of the Code of Ordinances as it pertains to going to two (2) Council meetings per month, eliminating all Standing Committees. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (42) on the agenda was a proposed ordinance amending and re-enacting Section 24:700 of Chapter 24 of the Code of Ordinances as it pertains to creating a liaison for Lafourche Parish Water District No. 1. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (43) on the agenda was a proposed ordinance authorizing a lease renewal contract with the Town of Lockport for the Lockport Library and to authorize the Parish President to sign the lease renewal and any and all accompanying documentation. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

The next item (44) on the agenda was a proposed ordinance to rescind Ordinance No. 3408 and enact a new ordinance that would allow the Lafourche Parish Public Library to accept a lease offer from the Lafourche Parish Recreation District No. 2 for a plot of land in Raceland for a period of fifty (50) years with an option to renew for an additional fifty (50) years at a sum of \$100 per year in order to construct a permanent building not to exceed \$680,000; and to authorize the signing of all pertinent documents associated with the ordinance. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

The next item (45) on the agenda was a proposed ordinance regulating a speed limit of 45 mph on all motor vehicles traveling on a certain section of Ridgfield Road, Ward (2), District (1)

of Lafourche Parish; and providing for the necessary signs and penalties. A **motion** was offered by Mr. Tyrone Williams to introduce the above stated proposed ordinance.

The next item (46) on the agenda was a proposed ordinance forming a Subcommittee to research the feasibility of upgrading, expanding, or building a new Detention Center for Lafourche Parish; and providing for the date of final recommendation. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

The next item (47) on the agenda was a proposed ordinance providing for a Supplemental Appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

The next item (48) on the agenda was a proposed ordinance amending the Code of Ordinances of the Lafourche Parish Council as it pertains to the Regulations of Mobile Home Parks in Lafourche Parish. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

The next item (49) on the agenda was a proposed ordinance rescinding Ordinance No. 3430 that established a "No Parking Fire Lane" on the left side of Belle Terre Drive, Ward (6), District (2) of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

The next item (50) on the agenda was a proposed ordinance amending and re-enacting Section 24:925(D)(1) of Chapter 24 of the Code of Ordinances to change the definition of "hotel" on the hotel/motel tax levied by the Lafourche Parish Tourist Commission. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

Chairman Toups took over the meeting.

RESOLUTIONS

The next item (51) on the agenda was a resolution authorizing the payment of legal fees to Mr. Leslie Clement, as recommended by District Attorney Camille Morvant, accrued by Lafourche Parish Sewerage District No. 2 for litigation against TESI. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Phillip Gouaux. An **amendment** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, to delete the words, "*as recommended by District Attorney Camille Morvant*". A discussion ensued on why it should be deleted. Mr. Clyde Redmond, Director of Sewage District No. 2, briefed the Council on the litigations. An additional **amendment** was offered by Mr. Michael Matherne, seconded by Mr. Phillip Gouaux, to state in the resolution, "*not to exceed \$5,000 in attorney fees*". The **amended** resolution **carried** by a vote of nine (9) yeas and zero (0) nays. The **original** resolution **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-087 SEWERAGE DISTRICT NO. 2

The next item (52) on the agenda was a resolution hiring Coastal Environmental to perform an elevation study and preliminary sketch and planning for a pump station in the Hollywood Canal in Bayou Blue; and authorizing the Parish President to sign all necessary documentation. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, to **amend** the resolution to state, "*Leonard Chauvin, P.E., PLS, Inc.*", instead of Coastal Environmental. A brief discussion ensued. Mr. Atzenhoffer stated that the study would be a good idea, to find out what is best suited for the area. An additional **amendment** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to cap the resolution at \$10,000. The motion **carried** to adopt said **amended** resolution by a vote of nine (9) yeas and zero (0) nays. The **original** resolution **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-088 HIRING LEONARD CHAUVIN

The next item (53) on the agenda was a resolution encouraging the continued efforts of SLEC, NSU and their consultants, engineers, and architects for the development of the Advanced Technology Center Project and its related programs and any other tasks deemed appropriate to the furtherance of economic development in Lafourche Parish and the diversification of our area's existing industries into a knowledge/technology based economies. A **motion** was offered by Mr. Daniel Lorraine, unanimously seconded, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-089 ATC PROJECT

The next item (54) on the agenda was a resolution authorizing the Administration to proceed with negotiations regarding moving the Thibodaux Branch Library and the Library Administrative Offices to the Advanced Technology Center on the Nicholls State University campus; and authorize the Parish President to sign any necessary documents. This resolution was **deferred**.

The next item (55) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to lower the speed limit to 35 miles per hour along Louisiana Highway 1 from the overpass to the Shop Rite in Mathews, Louisiana. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-090 LADOTD LOWER TO 35 MPH

The next item (56) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Daniel Kraemer/Judy Babin Kraemer; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-091 SERVITUDE AGREEMENT, DANIEL & JUDY KRAEMER

The next item (57) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Claudet Enterprises, LLC; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-092 SERVITUDE AGREEMENT, CLAUDET ENTERPRISES, LLC

The next item (58) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Jimmy Badeaux/Brenda Badeaux; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-093 SERVITUDE AGREEMENT, JIMMY & BRENDA BADEAUX

The next item (59) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Frank Stouder II/Robin Stouder Carroll (East 25th Street); and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-094 SERVITUDE AGREEMENT, FRANK & ROBIN STOUDER

The next item (60) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Frank Stouder II/Robin Stouder Carroll (East 37th Place); and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-095 SERVITUDE AGREEMENT, FRANK & ROBIN STOUDER

The next item (61) on the agenda was a resolution authorizing the firm of Joseph B. Caillouet Architects, (JBC/AIA), a notice to proceed on the design of the Ward 6 Library to be constructed near the Sixth Ward Middle School located on the Choctaw Road; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Michael Delatte and seconded by Dr. Tommy Lasseigne. An **amendment** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, to *add* to the resolution, to also state, “*and the Bayou Blue Library*”. The motion *carried* to adopt said *amended* resolution by a vote of nine (9) yeas and zero (0) nays. The *original* resolution *carried* by a vote of nine (9) yeas and zero (0) nays.

**RES NO. 04-096 JBC/AIA NOTICE TO PROCEED,
WARD 6 AND BAYOU BLUE LIBRARY**

The next item (62) on the agenda was a resolution authorizing the hiring of Joseph B. Caillouet Architects, (JBC/AIA), to proceed with the design of the South Lafourche Annex Building; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

**RES NO. 04-097 JBC/AIA NOTICE TO PROCEED,
SOUTH LAFOURCHE ANNEX BUILDING**

The next item (63) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to clean the roadside ditches and culverts along Louisiana Highway 307 from its junction with Highway 20 to the East Chackbay Water Tower, Ward 6 of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Tyrone Williams, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-098 LADOTD, DITCHES & CULVERTS, HWY 307, CHACKBAY

The next item (64) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development (LADOTD) to sweep the ditches and cut the grass along Louisiana Highway 3235, Cut Off, Ward 10, District 8 of Lafourche Parish. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-099 LADOTD, GRASS & DITCHES, HWY 3235, CUT OFF

The next item (65) on the agenda was a resolution offering the Lafourche Parish Council’s support for the “Lafourche on the Move” Project and specifically approving Cooperative Endeavor Agreements with all ten (10) Senior Citizen Centers to enhance the effort; and authorizing the Parish President to sign any and all documents in furtherance of this effort. A **motion** was offered by Mr. Mark Atzenhoffer, unanimously seconded, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-100 LAFOURCHE ON THE MOVE, SENIOR CITIZEN CENTERS

The next item (66) on the agenda was a resolution approving the contract amendment offered by the State of Louisiana (CFMS #603282, Amendment 2) to implement said programs in accordance with State requirements and subject to the recommendations of the LAT Board; and authorizes the Parish President to sign, execute and administer said contract(s) and all associated documents. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-101 LAT BOARD, CFMS #603282

The next item (67) on the agenda was a resolution approving the contract amendment offered by the State of Louisiana (Grant #31, 17.258, 17.260, & 17,259) to implement said programs in accordance with State requirements and subject to the recommendations of the LAT Board; and

authorizes the Parish President to sign, execute and administer said contract(s) and all associated documents. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-102 LAT BOARD, GRANT #31

The next item (68) on the agenda was a resolution authorizing the Parish President to sign, execute and administer any contract(s) and/or all relevant documents in order to purchase an excavator for the Region "D" Barn. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-103 PURCHASING REGION "D" BARN EXCAVATOR

MOTIONS

The next item (69) on the agenda was a motion to create a Subcommittee to revise the Lafourche Parish Code of Ordinances. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. Mr. Mark Atzenhoffer requested that this item be an ordinance. Mr. Phillip Gouaux explained why the Subcommittee should be created now. The Council agreed to bring it to the August 24th meeting as a proposed ordinance.

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

2/3 AGENDA

The first item (1) on the 2/3 Agenda was a resolution approving contract(s) with Reeco Rentals for the rental of a trencher to bury water and electrical lines going to the new gas and diesel tanks and pumps at the Ward 11 Barn; and authorizing the Parish President to sign, execute and administer said contract(s). A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-104 REECO RENTALS

The next item (2) on the 2/3 Agenda was a proposed ordinance authorizing an amendment to the existing contract (Ordinance No. 2769) between Lafourche Parish and River Birch Incorporated, amending the gate fee to the rate of twenty-four dollars (\$24.00) per ton, which said rate shall be adjusted annually on the contract anniversary date by the consumer price index specified in the contract, the term to begin on August 1, 2004 and terminate on July 31, 2009, with an option to renew for an additional five (5) years; and authorizing the Parish President to sign said amendment. A **motion** was offered by Mr. Phillip Gouaux.

The next item (3) on the 2/3 Agenda was a resolution supporting and allowing the Parish President to enter into an agreement with the Corp's of Engineer's to participate in the preparation of a Regional Waste Water Feasibility Analysis for upgrading and increasing capacities for the existing Municipal Sewage Treatment Systems. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Matherne. President Randolph stated that she spoke with Mr. Bellanger to clarify what the Council was going to be held accountable for. He assured her that if it was voted on, that it would not commit any money, because the Council could remove itself from the process at any time. Mr. Ray Cheramie asked that this resolution be taken seriously because of the issues that are being dealt with. The resolution **carried** by a vote of five (5) yeas and four (4) nays, that being of Mr. Mark Atzenhoffer, Mr. Brent Callais, Dr. Tommy Lasseigne, and Mr. Daniel Lorraine.

RES NO. 04-105 REGIONAL WASTE WATER FEASIBILITY ANALYSIS

The next item (4) on the 2/3 Agenda was a resolution to ask for the District Attorney's legal opinion on Ordinance No. 3463, that was just passed, dealing with instituting a moratorium on all future aviation facilities. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of nine (9) yeas and zero (0) nays.
RES. NO. 04-

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to go back to the **original agenda**.

MONTHLY ENGINEERING REPORT

The next item (71) on the agenda was a presentation of planned, presently ongoing, recently completed or other projects by appropriate engineering firms engaged by the Parish. Mr. Joe Picciola gave a report on some of the on-going projects. He stated that the first projects were mostly associated with the FEMA Hazard Mitigation Grant Program, with the acquisition and elevation of structures (which is the actual lifting of houses on the repetitive loss lists). He said that this program is 75% funded by FEMA and 25% by the resident. Mr. Picciola reported on the completed projects and gave estimates on some others. He mentioned that bids were scheduled to be received sometime the next week, for an elevation in Lockport Heights. He said that the Hazard Mitigation Grant Program is a 100% grant, funded by FEMA; to get some agencies together to discuss mitigation hazards and hazardous conditions in the future. Mr. Picciola stated that the next project dealt with the Nolan Toups drainage project; and he reported that equipment would be on the job site that week. Then, he reported on the West Thibodaux Drainage Project, that the plans and site surveying were completed, currently applying for all necessary permits, and bids would be followed when the permits were received. Next, he reported on the Twin Oaks Drainage Projects (behind the hospital), that the site surveying was completed and plans were currently working on the plans. Also, on the Cloverly Drainage Project (bridge replacing two culverts on Cloverly Road), that the site surveying was completed, approximately 80% complete on the plans, and the bids will go out in a couple of weeks. Then, on the Lockport Boat Launch, the renovations are being done through a federal grant, the contractors from Lowland were doing work at the site and is about 75% complete. Next, on the Edgar Guidry Pump Station upgrades, bids were received and was over budget, met with Administration and added several items to the project, and new bids will be received on September 7th. Then, on the Fantastic Acres Pump Station upgrades, project plans are completed, will have spoken to Mr. Ray Cheramie and Administration for final approval, and bids would be advertised shortly afterwards. Also, on the Gaines Pump Station upgrades, the site surveying is completed, and 80% complete on the project plans. He then reported on Road Sales Tax, District 2, Phase 4, a complete project list of streets were compiled, site surveying were being done in the Larose area, moving down to the east side, and would continue for a month or so. Next, he reported on Coastal Zone Management's small dredge project, which involves adding a marsh platform on the outside of the hurricane protection levee system in Galliano, and the project would have been up for bids on August 19th.

LEGAL ADVISOR REPORT

The next item (72) on the agenda was a motion to relinquish time to the Lafourche Parish Legal Advisor. No one was present to speak.

PUBLIC WISHING TO ADDRESS THE COUNCIL

Chairman Lindel Toups announced that the next item was any Public wishing to address the council. Mr. Mark Atzenhoffer stated that he had four items that he wished to address. He requested that Ms. Gretchen Caillouet get with Mr. Cormedelle, in reference to his business in Des Allemands. Ms. Caillouet stated that she has called his office twice and left messages with his assistant, Sissy. She said that she had followed the liqueur license process with the Sheriff's Office and it was signed by President Randolph. Then, she stated that the Board of Health issues were being looked into and no problems were found. The next item Mr. Atzenhoffer had mentioned dealt with moving the business permit section and asked Mr. Cullen Curole of the status. Mr. Curole stated that an advertisement was being placed for that position and the duties mentioned would be part of that position being created. Mr. Atzenhoffer said that his third item was for the Council, and asked about the President of Diamond Offshore coming to town. Mr. Brent Callais stated that he would pick up and greet the President at the airport, along with President Randolph. He would visit with him and drive him out to Fourchon. The fourth item Mr. Atzenhoffer had was the thanking of Air Logistics for the helicopter ride, to show the coastal erosion situation, that Mr. Daniel Lorraine, Dr. Tommy Lasseigne, Mr. Brent Callais and himself went on. Mr. Brent Callais stated that he went on the tour of the Detention Center on Tuesday, August 3rd, that the Sheriff, Craig Webre had extended an invitation to, along with Mr. Tyrone Williams, Dr. Tommy Lasseigne, Mr. Michael Matherne, and President Randolph. He suggested that everyone take a tour, to see the deplorable conditions of the center. He stated that a subcommittee was to be formed after that tour, to look into the possibilities of expanding the jail. Mr. Cecil Watts, VMD, spoke of the land to be purchased for a memorial and then he asked why the vans were not on the highways yet. He expressed his feelings and concerns on spending money. He suggested giving part of the money back to the bonding company. Mr. Brent Callais clarified, that the vans were ordered, being built by the factory, and will be delivered from Golden Motors, approximately less than two months. He then said that it is now time to move on to Phase II, looking at land to be purchased. Mr. Watts asked where he needs to stand to get on one. Mr. Callais stated that two drivers were to be hired, insurance was being requested, the Annex was to be used to store the vans and to be used as a pick up, and the vans will be stored at the new South Lafourche Annex parking lot when it will be completed and pick up would be under the covered walk way. He then said, as of right now that is the plan, but it could change when the vans actually arrive. Mr. Lindel Toups stated that he had received a letter from Chris Bollinger, President of the North Lafourche Conservation, Levee and Drainage District, dated July 9th, in reference to comments made at the June 8th Council Meeting. He read the letter to the Council. Mr. Daniel Lorraine stated his feelings and opinions on the matter. Mr. Michael Delatte also stated his opinions. President Randolph asked that everyone be vigilant with the weather conditions.

ADJOURN

On **motion** by Mr. Phillip Gouaux, seconded by _____, and with no further business, the Lafourche Parish Council Meeting of August 10, 2004, *adjourned* at 9:15 P.M.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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