

TUESDAY, AUGUST 24, 2004
RACELAND, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A SPECIAL MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, AUGUST 24, 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 5:30 p.m.

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

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 (arrived at 5:37 p.m.)
Mr. Daniel Lorraine (arrived at 5:37 p.m.)

ABSENT: None

PUBLIC HEARING & RATIFICATION OF ORDINANCES

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) absent, that being of Mr. Brent Callais and Mr. Daniel Lorraine, to open the Public Hearing, to hear public comments regarding the following ordinances:

The first item (1) on the agenda was an ordinance creating Special Service District No. 1 of the Parish of Lafourche; 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. No one from the public wanted to speak on the proposed ordinance. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) absent, that being of Mr. Brent Callais and Mr. Daniel Lorraine.

ORD. NO. 3464 CREATING SPECIAL SERVICE DISTRICT NO. 1

Mr. Brent Callais and Mr. Daniel Lorraine entered the Council Meeting Room at 5:37 p.m.

The next item (2) on the agenda was an ordinance ordering and calling a special election to be held in Special Service District No. 1 of the Parish of Lafourche, State of Louisiana, to authorize the levy

of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. An **amendment** was offered by Mr. Michael Delatte, seconded by Mr. Mark Atzenhoffer, to change the name on the 6-2 polling precinct location (page 2), from Chackbay Fire Company #2, to “*Senior Citizen Center, HWY 20, Chackbay*”, and **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion to adopt the ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and **carried** by a vote of nine (9) yeas and zero (0) nays, to have a five minute recess to allow the Administration to have discussions with the Bond Attorney.

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, to return to the agenda.

Mr. Cullen Curole, Parish Administrator, gave a brief presentation on street lights. He explained that the proposal was for rededication of funds for the street lights that are being collected, but not currently being used. Mr. Curole stated that by the end of 2004, there would be over \$2 million in surplus. He then said that the proposed fund balance would be part of the dedication. His Power Point presentation continued. Mr. Daniel Lorraine stated his opinions on the matter. Discussions ensued. Dr. Tommy Lasseigne offered a **motion** for an **amendment**, to replace “heretofore collected” with “*hereafter collected*” (on the 4th to last line), which would allow the balance to remain. Discussions continued. Mr. Mark Atzenhoffer seconded the motion. Mr. Curole stated that Ms. Meredith, the Bond Attorney, said that if the sentence would stop after the word “parish”, it would eliminate having to accept Dr. Lasseigne’s amendment. Dr. Lasseigne and Mr. Atzenhoffer **rescinded** their original amendment, and then made a **motion** to change the amendment to put a period after “parish” (six lines from the bottom). The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

**ORD. NO. 3465 ORDERING AND CALLING A SPECIAL ELECTION,
SPECIAL SERVICE DISTRICT NO. 1**

The next item (3) on the agenda was an ordinance ordering and calling a special election to be held in the Parish of Lafourche, to authorize the rededication of the proceeds of a special 2.64 mills tax in the Parish, 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. Phillip Gouaux. Ms. Charlene Rodriguez, Executive Director of the Lafourche Council on Aging, spoke in reference to the ordinance stating that it does not state that the Lafourche Council on Aging will receive the 25%, and requested that an amendment be made to include them. No one else from the public wanted to speak on the proposed ordinance. Detailed discussions and explanations continued. Mr. Curole gave a brief presentation on the funds which were being discussed. He stated that it was currently referred to as the Public Health Unit Fund, which was created to supplement the state health program. Mr. Curole gave figures and calculations. President Randolph added that the fund balance is \$2.4 million, and of that, \$1.3 million would be retained in the reserve fund for future use. There were more discussions. Dr. Tommy Lasseigne offered a **motion** for an **amendment**, to state, “*at least 15% shall be budgeted for the Council on Aging*” and not just for Senior Citizens programs in general. Mr. Daniel Lorraine seconded the motion. Again, more discussions, clarifying what this amendment would and would not accomplish. Dr. Lasseigne and Mr. Lorraine **rescinded** their motion to amend the ordinance. The original ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

**ORD. NO. 3466 ORDERING AND CALLING A SPECIAL ELECTION,
REDEDICATION, SPECIAL 2.64 MILLS TAX**

The next item (4) on the agenda was an ordinance authorizing the Parish President to administer

leases for the purpose of locating election polling precincts for Lafourche Parish; and authorizing the Parish President to sign any and all necessary documents therewith. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3467 LOCATING ELECTION POLLING PRECINCTS

The next item (5) on the agenda was an ordinance amending the Code of Ordinances as it pertains to 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. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

**ORD. NO. 3468 AMENDING THE CODE OF ORDINANCES,
CONSOLIDATION OF CERTAIN PRECINCTS, ETC**

The next item (6) on the agenda was an ordinance providing for a supplemental appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Tyrone Williams. No one from the public wanted to speak on the proposed ordinance. Mr. Atzenhoffer offered an *amendment, to include the corrected fund balance information*, and was seconded by Mr. Tyrone Williams. Mr. Toups requested that Mr. Curole explain the changes to the public. Mr. Curole did so. Discussions ensued. The amendment *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) abstained, that being of Mr. Lindel Toups and Mr. Brent Callais. Mr. Michael Matherne offered an *amendment, for the supplemental grant for Recreation District #7 go to fund the park project at the old jail*. Dr. Tommy Lasseigne seconded the motion, and *carried* seven (7) yeas, zero (0) nays, and two (2) abstained, that being of Mr. Lindel Toups and Mr. Brent Callais. The original ordinance *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) abstained, that being of Mr. Lindel Toups and Mr. Brent Callais.

**ORD. NO. 3468 SUPPLEMENTAL APPROPRIATION,
2004 MAINTENANCE AND OPERATIONS BUDGET**

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

RESOLUTIONS

The next item (7) on the agenda was a resolution approving Change Order No. 02 to Low Land Construction Co., Inc. as an increase in the contract price by \$8,066.00 for the Lockport Boat Launch Renovations; and authorizing the Parish President to sign said document. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Matherne. Mr. Daniel Lorraine asked which fund was the money to come from. President Randolph responded that the Parish has a boat launch fund. Mr. Lorraine then asked what was the balance in the fund. President Randolph said that she did not know, but she could find out. She stated that she called it a fund, but there is a boat launch item in the budget. President Randolph then said that it could be used for lighting and other improvements around boat launches. Mr. Mark Atzenhoffer asked if a change order was already approved at the last meeting. Mr. Gouaux responded with “yes and that the change order was paid through the Recreation District”. He offered an explanation that in the original project, the launch itself was not included. He said that the additional \$8,000 needed was for culverts and it was not in the budget. Mr. Joe Picciola explained why the change order was requested and gave explanations on the progress of the boat launch. He stated that the sheet pilings needed to be lengthened because of erosion. Then, he said the Administration asked

that a step be installed because there was too much of a difference from where the wharf and the parking lot met. Mr. Picciola stated that they had discovered that the Town of Lockport had buried culverts that were being used for drainage. The Town of Lockport requested that the culverts be extended out to the Company Canal. Mr. Picciola stated that the launch property is owned by the Parish. President Randolph said that the funds could possibly come from the drainage fund. Further discussions ensued. Mr. Picciola stated that approximately \$5,000 was for enhancements and approximately \$3,000 was for the culverts. The motion *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

**RES. NO. 04-107 LOCKPORT BOAT LAUNCH RENOVATIONS,
CHANGE ORDER NO. 02**

The next item (8) on the agenda was a resolution approving a contract for an Intern/Student Worker with local college institutions at an hourly rate to be at least the minimum hourly rate required by law; ratifying two (2) intern contracts; and authorizing the Parish President or her designee to sign, execute and administer said contracts and all relevant documents to acquire additional student workers. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. An **amendment** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, and *carried* by a vote of nine (9) yeas and zero (0) nays, to add “*and not to exceed \$8.00 an hour*”. The original resolution *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-108 INTERN/STUDENT WORKER

The next item (9) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Ted M. And Ruth R. Falgout**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-109 SERVITUDE AGREEMENT, TED M. AND RUTH R. FALGOUT

The next item (10) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Ruth R. Falgout**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-110 SERVITUDE AGREEMENT, RUTH R. FALGOUT

The next item (11) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Paul J. Robichaux**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-111 SERVITUDE AGREEMENT, PAUL J. ROBICHAUX

The next item (12) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Paulette Marie Plaisance**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-112 SERVITUDE AGREEMENT, PAULETTE MARIE PLAISANCE

The next item (13) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Louisiana Technical College**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-113 SERVITUDE AGREEMENT, LOUISIANA TECHNICAL COLLEGE

The next item (14) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Danos and Curole Marine Contractors, L.L.C.**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais,

seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

**RES. NO. 04-114 SERVITUDE AGREEMENT, DANOS AND CUROLE
MARINE CONTRACTORS, L.L.C.**

The next item (15) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Donald Wayne Smith and Pamela Plaisance Smith**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

**RES. NO. 04-115 SERVITUDE AGREEMENT, DONALD WAYNE SMITH
AND PAMELA PLAISANCE SMITH**

The next item (16) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and **Callais Realty**; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) abstained, that being of Mr. Daniel Lorraine.

RES. NO. 04-116 SERVITUDE AGREEMENT, CALLAIS REALTY

The next item (17) on the agenda was a resolution approving the Lafourche Parish Government's Office of Emergency Preparedness to enter into a professional service contract with Mobile Satellite Ventures LP for continued service on emergency satellite two-way and phone communications; and authorizing the Parish President to sign, execute and administer said contract and all relevant documents. 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. 04-117 OFFICE OF EMERGENCY PREPAREDNESS,
MOBILE SATELLITE VENTURES LP**

The next item (18) on the agenda was a resolution ratifying the termination of Reverend Jerry A. James from the position of Office of Community Action Executive Director by Gerald "Buzz" Breaux in his capacity as Parish President of Lafourche Parish. A **motion** was offered by Mr. Tyrone Williams, seconded by Mr. Michael Matherne, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) abstained, that being of Mr. Daniel Lorraine.

RES. NO. 04-118 RATIFYING THE TERMINATION OF REVEREND JERRY A. JAMES

ADJOURN

On **motion** by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais and with no further business, the Lafourche Parish Council Special Meeting of August 24, 2004, **adjourned** at 7:17p.m.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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