

TUESDAY, AUGUST 26, 2008
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 26, 2008 AT 5:00 P.M., AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HIGHWAY 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the Governing Authority of said Parish by Mr. Michael Delatte, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 5:00 p.m.

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

PRESENT: Mr. Michael Delatte, Chairman
Mr. Louis Richard
Mr. Joseph "Joe" Fertitta
Mr. Matt Matherne
Mr. Lindel Toups
Mr. Phillip Gouaux
Mr. Rodney Doucet
Mr. Daniel Lorraine
Ms. Charlotte Randolph, Parish President

ABSENT: Mr. Jerry Jones, Vice-Chair

Chairman Delatte announced that the invocation would be led by Mr. Fertitta. The Council then recited the Pledge of Allegiance led by Mr. Gouaux.

APPROVAL OF COUNCIL MINUTES

The first item (1) on the agenda was a motion to accept the minutes of August 12, 2008 Regular Session meeting. A motion was offered by Mr. Toups, seconded by Mr. Gouaux, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

PROCLAMATIONS

The next item (2) on the agenda was a proclamation presented by Parish President Charlotte A. Randolph to proclaim September 5th, 2008 as Brayden "B" Breaux's Orange Day. President Randolph exclaimed that this Proclamation being presented was in honor of Brayden Breaux, better known by all as "B"; then read from it (*see Exhibit "A"*). She then requested that Ms. Francine Chouest accept the Proclamation on behalf of Brayden's Mom.

PRESENTATIONS

The next item (3) on the agenda was a presentation of Certificates of Appreciation given by Mrs. Charlotte Randolph, to three members of the AAU Bayou Blazers Track and Field Club, being that of Tyler Sponge, Blaine Gisclair, and Dominick Fillinich; for competing in the 2008 AAU National Junior Olympics in Detroit, Michigan. President Randolph exclaimed that the three young men were successful in their effort as part of the Junior Olympics; presenting each one of them with a Certificate of Appreciation (*see Exhibit "B"*). She expressed that each one of them had their own achievements; in that the three members of the AAU Bayou Blazers Track and Filed Club traveled to Detroit to compete in the 2008 AAU National Junior Olympics. President Randolph stated that all three of the boys had to qualify by competing in Regional events held this summer. She then read from the Certificate of Appreciations; mentioning that Tyler Sponge, an Eighth Grader of Golden Meadow Middle School, placed 38th out of 43 in the 14 Year Old Division, with his time in the 3,000 Meter Run as 11 minutes and 29 seconds; Blaine Gisclair, a Junior at South Lafourche High School, placed 16th out of 45 in the 15-16 Year Old Division, with his time being 9 minutes and 39 seconds; and Dominick Fillinich, a Sixth Grader at Golden Meadow Middle School placed 2nd out of 37, earning a spot on the podium with a Silver Medal, having jumped 5 feet and 2 inches in the 11 Year Old Height Jump Division. She congratulated them on a job well done, including their Coaches, naming Mr. Charlie Comeaux and Mr. Joey Guidroz.

The next item (4) on the agenda was a presentation by Michael "Mike" Hebert, LSU Ag Center, to present an annual report. Mr. Hebert first introduced himself as the County Agent for the LSU Ag Center in Lafourche Parish; thanking the Council for the opportunity to present their Annual Report to them. He stated that they should all have a copy of the Quarterly Report (*see Exhibit "C"*), saying that they send them out every quarter, which updates them on some of the activities that the LSU Ag Center is doing in Lafourche Parish. Mr. Hebert then summarized what they have been doing for the most part, since they had reported to them last year. He started by first thanking them for their cooperation with the LSU Ag Center and also of their financial support, saying that they were vital to their existence, and greatly appreciated it all. Mr. Hebert went on to say that the Agents in Lafourche Parish have conducted almost 300 different, individual programs for about 8,000 Parish residents, during the past year. He said that it ranged from youth programs to adult programs. Mr. Hebert stated that they have a 4-H Club in every eligible school in the Parish, in that they conduct monthly meetings and present programs at each meeting. He said that they have programs in Family and Consumer Science, done by the Family and Consumer Science Agent, in which she has Nutrition Programs, Diabetes Programs, Strong Women, in that they work with OFS and different such organizations, and also Fitness Programs. Mr. Hebert next said that as far as Agriculture Producers, he works with sugarcane and beef cattle; also having someone who works with Horticulture and with Fisheries and Aquaculture. He continued by saying that they have Field Days; informing and inviting the Council to the next one, being held on October 16th at Nicholls State University, having a Livestock and Pasture Filed Day. Mr. Hebert continued with his report; listing other meetings they have, saying that they also have Newsletters. He said that they make farm visits when people have disease problems or individual issues, whether it be from a lawn, a cow, their cane, or whatever; in that they try to diagnose those problems. Mr. Hebert stated that the same thing holds true with Aquaculture and Fisheries. He then thanked the Council for the air-conditioning installed at the Fair/Agricultural building in Raceland, which he thought that it was done in October, not quite a year ago, and since then they now have at least one program a week, sometimes two, in that building. Mr. Hebert added that prior to that they were only able to hold functions there from about November to April, but now they can have them there year round, then naming a few. He expressed his appreciation of the Council's dedication to getting the building air-conditioned, in which the bathrooms were also; expressing that life was wonderful as far as the fair building was concerned, in that they were definitely getting a lot of use out of it. Mr. Hebert further stated that they have had some personnel changes since they reported to the Council last year; in that Davis Bolt, which was known for working with the 4-H Program for 10 years

with the Parish, was now working in the State Office in Baton Rouge. He then said that Ms. Katie Wilcox was hired to replace Mr. Bolt; then introducing her so that she could say a few words to the Council. **Ms. Katie Wilcox** introduced herself as the **Assistant 4-H Agent in Lafourche Parish**, stating that she took over in January, being about 7 months now. She said that she was actually a Native of Chackbay; in that she grew up in the Parish, in the 4-H, and in the FFA Program; saying that this was where it took her. Ms. Wilcox mentioned that she had attended Nicholls, that she has a Bachelor's Degree in Ag Business. She said that she would start her Master's Degree in the Spring at LSU in Human Resource Education. Ms. Wilcox went on to say like Mr. Hebert had said, in that at every eligible school they have a 4-H Program, in which they do a program every month to help educate the kids. She explained that it was not just for the agricultural kids, in that they talk to any kids that want to be in 4-H and want to be part of their program. Ms. Wilcox said that they were doing food and fiber this year for the program in the schools, hoping to do some interesting presentations and educate the youth. She continued by saying that they also have contests, clinics, and workshops out of school on weekends, as well as vacation days, besides going to the schools, to help reinforce what they do in the schools. Ms. Wilcox then invited the Council members to any of the contests that they have, to experience what the kids' experience, and to just see what they do. She said that they put everything, all of the contests, in their Quarterly Report; but one of the achievements that was not included in this report was that members of the 4-H and the FFA Team traveled to Forth Worth, Texas, in which the Junior Team won the World Paint Horse Championship; being a very big accomplishment. Also, in July a State Horse Judging Competition was held in Monroe, in which the Senior Team won, having an opportunity to travel to Virginia, with all expenses paid, to compete in the Southern Regional Championship. Ms. Wilcox said that they were once again having their Smart Bodies Program, being held in October, focusing on the Chackbay area. She said that they will set up the Body Walk at Six Ward School, inviting Chackbay and Bayou Beouf to come through; then explained said walk. Ms. Wilcox finished by thanking the Council for their support, in that she looked forward to meeting everybody and working with them in the future. Mr. Hebert then ended their annual report by reiterating their thanks for the Council's support, asking if there were any questions.

Mr. Doucet expressed he was really heavy into this; and then asked Mr. Hebert if they had done anything for the future, as far as to look for property and for the project that they were looking at, to enlarge for the Raceland area. Mr. Hebert replied that he was still in the process of locating different properties; in that he was just trying to get some commitments from different people, having tentative commitments from two people, but they will have to get back as a group to see how they want to handle that, and to also possibly meet with other Council Representatives to see some of the plans that they may also have ongoing, as far as trying to upgrade the current facility or to look at the possibility of a new facility. Mr. Doucet then commented that it would really be a key to Lafourche for infrastructure and also income, in that it would just enhance and blossom the entire Raceland area.

Mr. Fertitta expressed he appreciated the job that they do, saying that he participated in 4-H at Golden Meadow, in that he thought that everybody was when he was in it. He mentioned that he had been invited to several of their tasting contests, in which he wished that they would do so again. Mr. Fertitta stated that he and his wife judged a contest, believing that it was the crab dishes. He then requested that they put him on the list to do so again.

Mr. Hebert added that just to update the Council of the current state of agriculture, was that they had so far had planted about maybe 200 acres of sugarcane out of about 8,000 acres that they have to plant. He then joking said that it would be a good thing if the Council would want to invest in a big tarpaulin to put over the Parish to keep the Parish dry for a while. Mr. Hebert added that they need to keep hurricanes away because they were getting behind schedule, saying the Mills were scheduling to open the last week of September, possibly the first week of October; but that would all depend on how much cane they get planted between now and then. Mr. Hebert further informed the Council that the cattle prices were continuing to hold strong, although the current demand is for heavier cattle, because most of the corn is being booked for ethanol production, which has raised the cost of feed grains; saying that if anyone

bought a steak in the grocery store lately that they probably noticed that they paid more money for it, being the reason as to why. He said that they were starting to sell heavier weight cattle because they do not need to be fed as long.

Mr. Gouaux mentioned that people were converting some of their fallow land into other crops, being beans and wheat; asking Mr. Hebert if it was becoming the trend. Mr. Hebert replied that it has always been a viable alternative, but not an alternative to sugarcane, being a cooperative thing with sugarcane, by using the fallow land. He stated that the bean and wheat prices were currently very high; in which they do have some Cane Farmers in the Parish, having about 200 acres of soybean being planted on fallow land. Mr. Hebert further said that there was also a possibility that they might have 200 to 300 acres of wheat that will be planted as soon as grinding starts, explaining that they will have to harvest the cane, break it out, plow it, draw rows, and then plant wheat. He said that wheat was a good thing, but it was just to try to put it in while grinding cane; adding that soybean was also a good thing, but the biggest issue was that it was currently raining, with the grounds being wet. Mr. Hebert continued to explain the issues with the crop of beans, in regards to the land being wet. He said that there were a lot of things that were being looked at to increase profitability for Cane Farmers. A brief discussion then ensued in regards to the price of sugar, with Mr. Hebert stating that the price of sugar has actually gone up, just as the cost of everything else.

ADMINISTRATIVE REPORT(S)

[President Randolph](#) first updated the Council and the Public that she and other Department Heads had just held/attended an emergency preparedness meeting before the Council meeting in regards to Hurricane Gustav. She said while it was some distance away and there is no clear indication that it will our area, we have begun addressing the issues that need to be addressed right now; in that DPW was looking at pumps and waterways. President Randolph continued by saying that they were making certain that everything was in good running condition and everything is fueled. She said that they wanted to make sure that everyone was currently responding to the short term needs, prior to the storm approaching. President Randolph expressed that she certainly did not want to alarm anyone, but they have the luxury this time of time, so they can go through every act that they have in the Emergency Preparedness Plan, making certain that they are addressing what needs to be addressed. She stated that Mr. Jerome Danos with the Solid Waste Department contacted the garbage contractor earlier that morning, asking that they be extra diligent in picking up trash that is out on the streets, in the event that the storm does come here. President Randolph went on to say that Mr. Brennan Matherne will be on the radio the next day to talk about some of the issues that they have every time with the storms, with Mr. Delatte also being there. She expressed that she was hoping that it was just a drill and not an actual planning for the event; but as she presently saw it that they should be in the mode, to prepare for its coming. President Randolph said that as the days go by they will have a better idea, in that a three day prediction is much better than a five, because a five can mean that it can go anywhere, but three days they will be on the alert. She stated that the Department of Public Works will be providing sandbags, with trustees from the Detention Center will be assisting them in filling more. President Randolph said that if the storm does appear to be coming here that they will then alert the public as to when and where they can pick up sandbags. She then said that they have also addressed personnel, in that if they need anyone to come in that was on live, that they will ask that they give up their vacation time and be here. President Randolph stated that it will be particularly difficult because this was a long weekend because of the Labor Day holiday. She believed that by Friday that they will know one way or the other where this thing is going. President Randolph reiterated that she just wanted to keep everyone updated. She said that they have in the past alerted the Councilmen as to when the State was having their conference calls, giving them a number and a code to get in to listen to it; in that they will make certain that each Councilman is alerted to it in the event for them to either attend the conference call in Raceland or to just listen in over a phone from wherever they are; being very

convenient as well. President Randolph expressed that there were currently many different issues, in which they were addressing them all, in that as the days go by they will keep everyone informed as best they can. Chairman Delatte briefly mentioned that the Councilmen were handed a sheet concerning the assessments, in that any Councilman staying behind for the storm can participate, in which they hope that they do, with the assessment team in taking pictures, getting information, and directing the assessment teams into areas, that they will need to get as much information as possible on flooding, debris removal, or whatever the situation might call for. He said that also during that particular time, during the State of Emergency, a Councilmen can contact Field Office Foremen and employees, in that they were not restricted in getting information or trying to get information passed down the pipeline due to the failure of communications; further saying that he knew what happened last time of what happened with communications, in that it was totally nonexistent. Chairman Delatte said that in that event he would hope that the Councilmen would use good judgment and that they would go ahead and help these assessment teams, trying to get the information up the chain of command to where it needs to go. President Randolph added that she would also ask that all the Councilmen have their particular badges for reentry if they would decide to leave. She stated that they have tested generators; in that they have even brought the large generator to Central Lafourche High School, in the event if they set it up as a shelter of last resort. President Randolph explained that the purpose of that generator was for sewerage, so that they can keep the health issues as to not becoming a problem. She said that they have gone through those actions already and will continue to do so. President Randolph suggested that if anyone thinks or is concerned about something else to please let them know.

Mr. Lorraine expressed his concerns in regards to the new four day work week and of Monday being the Labor Day holiday; suggesting that whatever they do that they not get caught without distributing sandbags either starting the next day or Thursday. He stated that he brought it up for precautions. President Randolph commented that it was something that they had considered already, in that she did believe that by Thursday that they would have a better indication as to what the storm was going to do, at that point and time, they will no longer be on the answering service, in that they will be staffed throughout everything that needs to be done. She reiterated that sandbags were indeed addressed that very day; adding that there will not be any disruption of service throughout all of this, particularly if they identify that the storm was coming here.

Mr. Gouaux asked President Randolph if they were going to have people working this weekend to cut the outfall canals, the grass, and to try to make ready; asking if they can afford to pay some overtime. President Randolph replied that they have started that already, in that they were going to continue working until they could not. Mr. Gouaux stated that he had received a few calls the last weekend with the rain event. President Randolph commented that they were currently addressing all the venerable areas.

Mr. Matherne said that he was glad to hear that they can speak to some of these people, but he would like a list of who they can speak to and who they can not speak to; in which President Randolph had specifically told him that when the Engineer was at the podium that they could not speak to them, yet they were. He asked where the line was drawn; also asking who they can speak to and who they can not speak to, in that he did not want to get in trouble with it. Mr. Matherne expressed that it was difficult to go out in the field, stating to President Randolph that she was not out in the field, and look somebody in the eye and say that yes I know that your house is going to flood in the next hour, but I can not help you. He went on to state his concern of not having the authority to go out and get a pump to assist the constituent. Mr. Matherne then reiterated his question of where the line was drawn. He went on to explain a particular recent instance of someone blocking drainage of an outfall ditch/canal by putting up a fence; expressing the concern of blockage there. He stated that he would have been glad to get some snip nose pliers and cut it; but he can not. Then, going over to the other street, the manual control gate valve was partial closed, having no pad lock on it; but he would not dare touch it and open it; adding that he had gotten four calls in regards to it. Mr. Matherne expressed that Mr. Ronnie Robichaux (DPW

Director) was doing a fabulous job; but he was overloaded, saying that he needs some help. He then commented that the Councilmen also need help. Mr. Matherne asked President Randolph if a Councilman can stay in an area to man a pump if the Councilman or a Constituent was to take their money out of their back pockets and order a pump and then have it out there on the site; commenting that he was hoping that he would get the answer he was asking for. He then said that he would be glad to do it; mentioning that Mr. Toups had done so in the past. Mr. Toups said that he had indeed manned a pump. Mr. Matherne reworded his question, asking if a Councilman can spend their private money to help the people in need without getting in trouble, saying that there has to be a line drawn somewhere. He then referred to a prior incident of a man that was drowning in a car many years ago, being told not to do go assist him because he would be sued if so, in that they had indeed gotten the man out and he had not sued. Mr. Matherne continued by expressing that he was not trying to get onto the Administration to say that they were not doing a good job; but they did need some help in the field. He requested that President Randolph show the Councilmen where was the line, showing them how far can they go. Mr. Matherne further asked if they can do this, can they take it out of their back pocket, can the Constituent take it out of their back pocket and go get a pump; expressing to forget about getting the money back, in that was not what they were asking. He said that he was asked by a few Constituents if they can go out and get a pump and throw it in there and pump it. Mr. Matherne stated that he replied that he could not tell them that answer, in which a man had then told and asked him, "Well, what are you Councilman for then, if you can not do anything, what good are you". He then expressed that they have to figure something out, saying that he had spoken to a couple of Councilmen before the meeting, in that perhaps each Councilman can receive an appropriation of \$500 or \$1,000 to be spent only in an emergency; saying that President Randolph can do such a thing. Mr. Matherne said that a 10 or 12 inch pump can be rented for at least three days for under \$500, having it delivered. He reiterated that something has to be done, in that it just has gotten out of hand.

Mr. Toups commented as to what Mr. Matherne had mentioned in regards to him manning a pump; saying that for the last hurricane he had done so, in that President Randolph knew about it. He said that the two pumps in his area were gone, so he took care of them. Mr. Toups went on to say that he had also been given authority to order sand too, for the Gheens area; saying that if they need a load that they get it dumped at a certain place and go ahead and make sandbags. He commented that nobody would do anything to the Councilmen if they were trying to help the people.

President Randolph then said that they had also discussed beginning to deliver sand in various areas of the Parish, aside from the Field Offices, so that people do not have to travel all the way to the Field Offices. She said that they will put up piles of sand and bags for the people that may want to bag some for themselves, in that they will be able to do so.

President Randolph commented in regards to Mr. Matherne questions, stating to him that there was a difference between an emergency and day to day operations. She encouraged him to do whatever he could, just as he would to help his neighbors. President Randolph then discouraged him from ordering something without someone who has been given that authority, mentioning the area Field Office as being such. She said that the Field Offices are in that mode right now, in that they will respond to Councilmen right now as quickly as possible. President Randolph stated that she did not know about the fence situation he had previously mentioned; but if someone needs an emergency pump that they have the Corps of Engineers prepared to deliver some, in which they can put out at any location to assist with those issues. She said that she was not certain that she was going to give Mr. Matherne the answer he wanted. Mr. Matherne commented that he did not think that she would, in that he did not think that it was handy, it is allusive as to where they stop; being what he was trying to get at. He then said that the young man at the Bayou Blue Field Office was Mr. Mike Blanchard, being a very good worker, but difficult to get a hold of. Mr. Matherne said that he calls the Field Office and they say to leave his name and number; doing so at 10:30 a.m., telling him that your house was fixing to go under water; and then that evening when they were knocking off work around 4:30 or 5 p.m. he would then call you, asking how deep is the water. He

then questioned what was wrong with the people in the fields having a cell phone, saying that all of the people at the Field Offices should have cell phones, to where they can be called wherever they were at in the area. Mr. Matherne continued to express his concern in regards to the Field Office personnel being able to be contacted out in the fields. President Randolph commented that the contact list that Administration had given out to the Councilmen includes all of the Supervisors, all of the people that they need to get in touch with, their cell phone numbers and not just the office numbers. She said that if he needs another list that her office can provide him with one, so that he could plug in those numbers and dial them very easily. President Randolph went on to say that all of the Supervisors have been assigned cell phones, so they can be contacted. She said however, Mr. Robichaux had told her earlier that day that he has been having difficulty with his phone. President Randolph explained that they had just switched to a new system, in that they just needed to work out some kinks in it. A brief discussion ensued in regards to the contact list. Mr. Matherne then went on to say that President Randolph had said that she could not answer as to whether they could or could not with private funds, in that she did say do what they think that they would do for their neighbor, well most of the time they were the neighbor, in that they were in the District, knowing a lot of them. He then questioned that if in President Randolph's view, if these people wanted to spend their money, which may or may not be reimbursable, to get a pump or to fix a situation, within reason, that it would be ok with this Administration. Mr. Matherne then exclaimed no, as if President Randolph had replied to his answer by nodding. Mr. Doucet commented that he thought that President Randolph was saying that he has to clarify, to talk to the Field Office Supervisor and/or Mr. Robichaux, to tell them that you can get a pump, but they may say that they already have one in route, or they may say that they do not have one and that it would be a good thing to do. Mr. Matherne then said to let him go back to where he was, in that at 10:30 in the morning the man calls you saying that his house was fixing to go under water, so you leave a phone message for Mr. Robichaux who is busy, also leaving one at the Field Office. Then, as he said earlier, he gets a return call from the Supervisor knocking off around 4:30 p.m., asking how many feet of water do you have in your house. Mr. Matherne expressed that was what he was trying to avoid, in that if it is an emergency that you should be able to get a pump. Mr. Doucet then commented that then again, President Randolph had also said for him to go ahead and do what he had to do to help the neighbor, in an emergency situation. He added that if Mr. Matherne has the cell phone numbers that he will be able to get in touch with the appropriate people; saying that he has the essential numbers programmed in his phone, calling them all until he receives a response, even calling the office personnel if he does not get any luck in getting the Field Office personnel, especially in an emergency situation. Mr. Matherne commented that he wanted to hear that from President Randolph. Mr. Doucet then commented that it was better to ask for forgiveness than permission. President Randolph briefly commented that she has confidence in the people that they have in the fields, in that she did not think that they would let a house flood from 10:30 a.m. to 4:30 p.m.

[The next item \(5\) on the agenda was Ms. Gretchen Folsie, I/T Manager, to present a Technology Report.](#) Ms. Folsie began by reporting on the website, in that they have their bids calendar up, saying that they were looking to include more content on this, pretty soon and with other departments; then briefly showing them that it would include all of the information in regards to the bids. She said that they were also looking into electronic bid submissions, hoping to do so before January 1st. Ms. Folsie reported that they have also recently posted the FEMA DFIRMs (Digital Flood Insurance Rate Map). She said that they were hoping to soon post more information on permits, saying that it was a pretty complicated department, so they were hoping to post at least some frequently asked questions or what not. Ms. Folsie thanked Ms. Chaisson, the Parish Administrator, for introducing her to the calendar application. She then stated a few facts about the IT Department, in that they were about communications, improving and supporting communications, both between the departments in government and the citizens. Ms. Folsie mentioned that the big upgrade of computers and such was done late in 2004 and early 2005. She said that this was just one part of the network, being the data network. Ms. Folsie went on to say that the voice network was one

part that will be needing improvement, in that the phone switches in both buildings are out of date, being analog, they were obsolete, not being very cost effective to upgrade as they are. She explained that the Government did not have any voice mail, no extension dialing, no direct dial numbers, no departmental contact numbers, etc.; so they were looking to improve that pretty soon. Ms. Folsie requested that they keep this in mind for the 2009 Budget year. She said that was about it for her report and if they would like more information on what they were looking at for the voice network upgrades to let her know and she can call in the people from AT&T to come in and make a presentation.

Mr. Gouaux asked Ms. Folsie what kind of money they were looking at on the upgrades; expressing that AT&T was pretty advanced on their technology, saying that he personally knew with his business that it was fairly cheap to get voice mail and multiple numbers. Ms. Folsie replied that she could call them in to give more specific information, in that she would hate to hazard a guess at it at this point.

Mr. Doucet asked Ms. Folsie if they had done anything with the Animal Shelter, getting their computer networking up and going, besides the little chip. Ms. Folsie replied that it has been up for several months now. Mr. Doucet next asked if everything was flying and going; with Ms. Folsie replying as yes sir. Mr. Doucet thanked Ms. Folsie, applauding her for such a good job.

The next item (6) on the agenda was Mr. Joel Doty, Director of Finance, to present a Finance Report. Mr. Doty, being the newly appointed Director of Finance, stated that all of the Finance reports were mailed out on August 18th and that they were also on the Parish's Website; then briefed the Council on the Parish's finances (*see Exhibit "D"*), presenting a detailed PowerPoint presentation.

Mr. Lorraine commented that the reason why the collection is a lot less in Road Sales Tax 2 than last year was because they had rolled it back to half a penny, from the first 10 years from when they renewed the tax, in that they renewed it from a penny to half a penny.

PUBLIC WISHING TO ADDRESS THE COUNCIL (FIRST SESSION)

The next item on the agenda was the first session of the Public Wishing to Address the Council. Ms. Francine Chouest from Green Acres Street in Lockport addressed the Council to request a name change on the new North Larose Bridge. She read from a letter (*see Exhibit "E"*) that was written by the Brayden Breaux B's Buddies Foundation, which had been submitted some time ago to President Randolph.

President Randolph requested that Ms. Chouest introduce Brayden's mother, which was also present; in which she did so.

Mr. Toups asked President Randolph if they did have the right to rename the bridge, stating that it was indeed a Parish bridge. President Randolph replied that Mr. Toups was correct. Mr. Toups then exclaimed that he would go ahead and request that they name it right now, as the "Le' Pont Orange"; adding that he would like to have a unanimous second, with no discussion. Chairman Delatte then commented that it was an item on the agenda and that it would indeed get done.

Ms. Chouest then invited everyone to their activities that have for the month of September; saying that they will have the naming/dedication of the bridge on the 5th. She said that they will have a walk/run on the 6th, having an information weekend the second weekend, a cake Bingo on the 3rd weekend, and the last weekend will be a 24 hour softball tournament, as well as a luminary ceremony to culminate their whole month's activities. Ms. Chouest clarified that the luminary ceremony will be on the Sunday.

Jason Ponvelle from Parkside Drive in Thibodaux addressed the Council in regards to a steel bridge he had erected over the ditch in his backyard, in which he was requested that a Variance be granted so he may keep it in place. He handed out pictures showing the bridge (*see Exhibit "F"*), saying that he built it out of steel, in that it was very strong, and that it stays locked.

Various questions were asked to Mr. Ponvelle by the Councilmen and President Randolph, expressing their concerns. Mr. Richard first asked if he had asked for a permit when he had built the bridge; in which he had replied as no sir, in that he had spoke to someone at the Barn and they spoke about putting culverts, that they then said that they would rather he put something else. Mr. Ponvelle said that he had then asked like a bridge, in that they had then replied as not to one with pilings. He said that he then suggested a stand and that they had said yes. Mr. Ponvelle stated that he did not get a permit, but he had applied for one afterwards; in which he had then received a letter from the Parish (*see Exhibit "G"*). Mr. Richard asked what was the purpose of the bridge; which Mr. Ponvelle replied by explaining that it was to clean out the ditch and that he was also using it to go across to the Golf Course as well. Questions were asked, concerns were expressed, and detailed discussion and answers continued in regards to the bridge and its location; especially of the severe drainage problems in the area and of the liability issues. Chairman Delatte suggested that Mr. Ponvelle first establish ownership of the property, which would assist him with part of the way of where he would need to go; then at that point he could fill out an application to see if he would qualify to have access to both sides. He said that maybe the property was owned by someone else that may not want a bridge connecting it, in that he would have to find out where his property markers are, to see if he actually owns property on the other side. Chairman Delatte continued by saying that the Department of Public Works can then look at the application to see if it would be feasible or to make the right decision in regards to obstruction and of drainage. He said that it would only be hypothetical right now to just take guess work at all kinds of different things, reiterating that he needs to first establish ownership and then fill out a permit application so DPW can give him an answer. Brief discussion and comments continued; with Mr. Fertitta mentioning that this was one reason why they were hiring a Compliance Officer.

ENGINEERS AND ARCHITECT REPORT(S)

[The next item on the agenda was a presentation of planned, presently on going, recently completed or other projects by appropriate engineering firms engaged by the Parish.](#) *No presentations were given.*

Chairman Delatte requested that President Randolph get with the Engineers for them to appear at the next meeting to give an update on the projects that had gone out to bid, being that of the project for Choctaw Road and so forth. He said that he knew who they were awarded to, but he would like to know a start time or any information that they can provide.

Mr. Gouaux mentioned a project in his area, saying that it seemed as though a Subcontractor, a sub of a sub, was doing work and was recently told to pick up his equipment. He said that he has since gotten a number of calls from people in that area; in that he just wanted to state publicly and for the record that the Contractor is still responsible for doing the job within the time span of the contract. So, although the equipment of removed, the Contractor needs to get in there and make sure that he meets the time schedule or there will be; ending his statement by saying that Mr. Joe Picciola was present. **Mr. Joe Picciola with Picciola & Associates, Inc.** stated that he had not given a report because he usually does so once a month, in which he had done so at the last meeting and that he was going to give one at the next meeting. He then answered Mr. Gouaux's question by explaining that there was a second tier sub working on drainage on the Road Sales Tax District Project, which was not allowed per their contract. Mr. Picciola said that they asked that they fix that situation, in which they did; informing the Council that they were again currently working. He said that he was not sure if it was in the specific area that Mr. Gouaux was referring to, but they were indeed back on the job.

Mr. Matherne asked Mr. Picciola for clarification of subs; asking if the prime contractor can have one sub and if he can not have a sub to a sub; in which Mr. Picciola replied that he was correct. Mr. Matherne then commented that he can indeed have one sub; with Mr. Picciola saying yes sir. Mr. Picciola further explained that he did have a sub that was working on the drainage, but the sub subbed out part of the drainage. Further clarifications continued. Mr. Matherne then asked what they would have to do to

see if they can, or if there was any way that they could do it, have a sub to a sub; that was reputable and can do the job, especially if they were from this area and they were trying to work, in that they do not want to lay their men off. He continued by making further comments in regards to having a sub to a sub. Mr. Picciola replied to Mr. Matherne's question by saying that he guessed that they could change their specs, but the reason they have it was to get away from what he called the FEMA Blue Roof affect. He explained that they would then have five or six subs down the line, in that they would not really know who was all involved; and when you then have a problem that it would be hard to chase down the right guy to get it fixed. Mr. Picciola said that it was in their specs, which was what the contract said, so they had to tell them to fix the situation. A brief discussion continued in regards to contractors and of subs. Mr. Picciola commented that he could talk with Administration about it, to see how they feel about it, and if they would advice in redoing their specs, in that they would then do so in the future.

Mr. Doucet asked Mr. Picciola in regards to the Cut Off Bridge, as to where they were with that. Mr. Picciola replied that they had met with the Mechanical and Electrical Engineers, in that they were currently trying to finalize plans. He said that they were finished with their structural work and that they were trying to get their stuff together. Mr. Doucet asked if he would have a report on it at the next meeting; in which Mr. Picciola replied as yes sir.

LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. *No one was present to speak.*

Next, a **motion** was offered by Mr. Toups, seconded by Mr. Gouaux, to **open** the *Public Hearing*, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (7) on the agenda was an ordinance recognizing the **Tacit Dedication** of an additional 300 feet at the rear of West 107th Place in Cut Off, LA, Ward (10), District (8), into the Parish System; and authorizing the Parish President to sign, execute and administer any and all relevant documents. A **motion** was offered by Mr. Lorraine and Mr. Doucet.

Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. A **motion** was then made by Mr. Doucet, seconded by Mr. Lorraine, to *defer this item to the September 9, 2008 meeting*, which will be the second Public Hearing to be held, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

DEFERRED

The next item (8) on the agenda was an ordinance recognizing the **Tacit Dedication** of the turn around at the end of Elvira Drive located in Bon Ton Villa Subdivision, into the Parish System; and authorizing the Parish President to sign, execute and administer any and all relevant documents. A **motion** was offered by Mr. Toups. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a *motion to defer this item to the September 9, 2008 meeting*, which was made by Mr. Gouaux, seconded by Mr. Toups, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

DEFERRED

The next item (9) on the agenda was an ordinance **rescinding Ordinance No. 1671** which created the **Sewerage District No. 14 Board**; deleting Section 24:663 of Chapter 24, Sub-Chapter N, of the Code of Ordinances; **abolishing said Board** and directing all duties and responsibilities to be transferred to the **Administrative offices of the Lafourche Parish Government**. A **motion** was offered by Mr. Lorraine. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Fertitta. Mr. Fertitta explained that this was a Sewerage District that has been abolished for years, but the paperwork was still on the books. He said that nobody has been on this Board for 10 years, but they were going to advertise for members; clarifying that this was just a clerical procedure, in that the Parish had actually taken over this Sewerage District 10 years ago. President Randolph asked if the Parish was currently administering the monthly payments and other issues with it and if they were also collecting; in which Mr. Fertitta replied that they have been for the last 10 years.

The ordinance **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4366 ABOLISHING SEWERAGE DISTRICT NO. 14 BOARD

The next item (10) on the agenda was an ordinance **amending Ordinance 1127** changing the **speed limit** from fifteen (15) miles per hour to **ten (10) miles per hour on West 180th Street, Ward (10), District (9), Parish of Lafourche, State of Louisiana**; providing for the placement of “**Speed Limit**”, “**Speed Checked By Radar**” and “**Watch For Children**” signs; and providing for penalties for the violations thereof. A **motion** was offered by Mr. Lorraine. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Matherne, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4367 10 MPH SPEED LIMIT - WEST 180TH STREET

The next item (11) on the agenda was an ordinance **approving the holding of an election in Fifth Ward Gravity Drainage District No. 5** of the Parish of Lafourche, State of Louisiana, on **Saturday, October 4, 2008**, to authorize the levy of a special tax therein. A **motion** was offered by Mr. Richard and seconded by Mr. Fertitta. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance.

Mr. Richard commented that this was a renewal and the way it is read that there is no where in it that it says so, in that it looks like a new tax. He expressed that people can get really confused; asking if they can add something of renewal to it, stating that it should state so. Discussions ensued and comments were made in regards to clarification of it being a tax renewal.

An **amendment** was then made by Mr. Richard, for the ordinance to read just as it is and at the end where it states “...a special tax therein” to add “(renewal)”, seconded by Mr. Fertitta, and carried by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

The **amended ordinance** then **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4368 FIFTH WARD GRAVITY DRAINAGE DISTRICT NO. 5 - SATURDAY, OCTOBER 4, 2008 ELECTION

The next item (12) on the agenda was an ordinance to **provide** for a 2008 **Supplemental Appropriation** (08-032) within the 2008 Operations and Maintenance Budget to budget the increased cost associated with the **Mosquito Control contract** and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Gouaux. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Toups, and **carried** by a vote of (6) yeas, (2) nays, that being of Mr. Richard and Mr. Fertitta; and (1) absent, that being of Mr. Jones.

ORD. NO. 4369 SUPPLEMENTAL APPROPRIATION - MOSQUITO CONTROL

The next item (13) on the agenda was an ordinance to **provide** for a 2008 **Supplemental Appropriation** (08-033) within the 2008 Operations and Maintenance Budget and the 2008 Capital Project Budget to reduce the amount budgeted for the **Fourchon Road Project** by \$250,000, add an additional road to **Road Sales Tax District 2 - Project 4D** for \$100,000 and establish a **Materials Budget** in the amount of \$25,000 within Road Sales Tax District 2 and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Lorraine. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Doucet.

An **amendment** was made by Mr. Lorraine, *to increase the \$100,000 to \$130,000*, seconded by Mr. Doucet, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

The *amended ordinance* then **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4370 SUPPLEMENTAL APPROPRIATION - FOURCHON ROAD PROJECT - RSTD#2, PROJECT 4D

The next item (14) on the agenda was an ordinance to **provide** for a 2008 **Supplemental Appropriation** (08-034) within the 2008 Operations and Maintenance Budget to increase the amounts budgeted within the **Office of Community Action LIHEAP Fund** per grant awards received and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Fertitta. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Gouaux, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4371 SUPPLEMENTAL APPROPRIATION - LIHEAP FUND

The next item (15) on the agenda was an ordinance to **accept** the subdivision known as the **Shelby Estates Subdivision at Greenwood Plantation Estates into the Parish System**. A **motion** was offered by Mr. Matherne and seconded by Mr. Fertitta. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a vote, which **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4372 ACCEPTING SHELBY ESTATES SUBDIVISION

The next item (16) on the agenda was an ordinance to **accept** the subdivision known as the **Ledet's Bel Vue Subdivision into the Parish System**. A **motion** was offered by Mr. Gouaux. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Toups, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4373 ACCEPTING LEDET'S BEL VUE SUBDIVISION

The next item (17) on the agenda was an ordinance providing a Variance from Section 19:334. I. of the Lafourche Parish Family Subdivision regulations on the Landry Family Subdivision (Ward 8, District 6) as *not recommended* by the Lafourche Parish Planning Commission at their June 26, 2008 meeting. A **motion** was offered by Mr. Toups. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Gouaux.

Mr. Toups stated that this was in his area, that he did not know anything about it, in that no one spoke to him in regards to this item, so he would ask Administration how they felt about this. He said that Ms. Pat Matherne from the Planning Department had told him that it had failed in front of the Planning Commission because of the fire hydrants. Mr. Toups then asked if anyone had any further information in regards to this. Chairman Delatte replied just that it failed because of a fire hydrant; with President Randolph commenting that was the same thing that they were informed of. Mr. Toups then asked President Randolph if they indeed did not recommend it; with President Randolph replying that was correct. A brief discussion and explanation then ensued in regards to clarifying the amounts of fire hydrants and of how to vote for or against the variance being requested.

The ordinance *failed* by a vote of (0) yeas, (8) nays, and (1) absent, that being of Mr. Jones.
FAILED

The next item (18) on the agenda was an ordinance to Acquire Ownership of property at 183 Bayou Vista Drive, Thibodaux, Louisiana (Lafourche Parish), as part of the FEMA Hazard Mitigation Grant Program; and authorizing the Parish President to sign, execute and administer all relevant documents; and to provide for the recordation of all documents and to provide copies to all involved parties. A **motion** was offered by Mr. Richard. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Fertitta, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

**ORD. NO. 4374 ACQUIRE OWNERSHIP - BAYOU VISTA DRIVE -
FEMA HAZARD MITIGATION GRANT PROGRAM**

The next item (19) on the agenda was an ordinance approving the attached Servitude Agreement between Anne F. Jordan, Patsy F. Whitehorn, Gus Falgout, Jr., Janet F. Gros, Ruth F. Breaux and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Matherne. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Gouaux, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

**ORD. NO. 4375 SERVITUDE AGREEMENT -
JORDAN, WHITEHORN, FALGOUT, GROS, & BREAU**

The next item (20) on the agenda was an ordinance approving the attached Servitude Agreement between Peterson Living Rentals, LLC represented by Tommy L. Peterson and Maria B. Peterson and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Lorraine. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Gouaux, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4376 SERVITUDE AGREEMENT - PETERSON LIVING RENTALS, LLC

The next item (21) on the agenda was an ordinance to amend Ordinance No. 4295 as it pertains to fixing salaries of unclassified employees (Head Start employees). A **motion** was offered by Mr. Gouaux. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Matherne. Mr. Doucet stated that he would like to *defer this until the next meeting*, explaining his reasons for the request, and then making a **motion** to do so. Discussion and further explanations ensued. The *original motions were then removed* so the item can be *deferred to the September 9th meeting*. The *motion to defer* was seconded by Mr. Lorraine; and **carried** by a vote of (7) yeas, (1) nay, that being of Mr. Gouaux, and (1) absent, that being of Mr. Jones.

DEFERRED

The next item (22) on the agenda was an ordinance approving the attached Temporary Right of Passage Grant between Gerald Zerangue and Amerie Rodriguez Zerangue and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreements. A **motion** was offered by Mr. Gouaux. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Toups. Mr. Matherne asked Mr. Gouaux how long was this temporary right of way was good for, or if he had any idea. A brief discussion then ensued in regards to temporary right of ways being granted and how long they were good for. Mr. Robichaux, Director of DPW, commented that he was not familiar with this specific right of way, in that he really does not see them. He said that he was not sure what this right of way was for; but he did know that once the work was complete that was it. Chairman Delatte further explained that this right of way was to include an additional 10 feet to an existing right of way, to do some additional work along a right of way already in place. Mr. Toups questioned if the District Attorney had not ruled that they could not go with temporary right of ways from then on; with Chairman Delatte stating that was not so, in that temporary right of ways are legal. President Randolph added that the DA had said that they just have to be brought before Council. A brief discussion continued of the DA's Opinion.

The ordinance **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4377 TEMPORARY RIGHT OF PASSAGE GRANT - ZERANGUE

The next item (23) on the agenda was an ordinance approving the attached Temporary Right of Passage Grant between Diana Pitre Dufrene and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Doucet. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Lorraine, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4378 TEMPORARY RIGHT OF PASSAGE GRANT - DIANA DUFRENE

The next item (24) on the agenda was an ordinance amending Ordinance No. 4151 and 4327 accepting the donation of Homeland Security equipment from South Central Planning and Development Commission funded through the FY05 Louisiana State Police and Office of Homeland Security and Emergency Preparedness Grant #2006-GE-T6-0069; and furthermore donating some of the same equipment to other responder agencies within the Parish of Lafourche. A **motion** was offered by Mr. Gouaux. Chairman Delatte asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Delatte moved for a second, which was made by Mr. Doucet, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

ORD. NO. 4379 DONATION OF HOMELAND SECURITY EQUIPMENT AMENDMENT

Next, a **motion** was offered by Mr. Doucet, seconded by Mr. Lorraine, to *close* the *Public Hearing*, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

PROPOSED ORDINANCES

The next item (25) on the agenda was a proposed ordinance requiring the placement of two (2) “Handicap Person In Area” signs on 110 East 26th Place, Cut Off, Louisiana, Ward (10), District (8), State of Louisiana, providing for the placement of “Handicap Person In Area” signs and providing for penalties for the violations thereof. A **motion** was offered by Mr. Doucet to introduce the above stated proposed ordinance.

The next item (26) on the agenda was a proposed ordinance levying and imposing taxes for 2008 on all the property subject to taxation in the Parish of Lafourche (*Adjusted millages*). A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (27) on the agenda was a proposed ordinance levying and imposing taxes for 2008 on all the property subject to taxation in the Parish of Lafourche (*Amount of Millages*). A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (28) on the agenda was a proposed ordinance levying and imposing taxes for underlying units of Lafourche Parish for 2008 on all the property subject to taxation in the Parish of Lafourche (*Underlying Units, No. 1*). A **motion** was offered by Mr. Lorraine to introduce the above stated proposed ordinance.

The next item (29) on the agenda was a proposed ordinance levying and imposing taxes for 2008 on all the property subject to taxation in the Parish of Lafourche (*Underlying Units, No. 2*). A **motion** was offered by Mr. Lorraine to introduce the above stated proposed ordinance.

The next item (30) on the agenda was a proposed ordinance approving a Variance for Gulf Offshore Logistics, LLC from FEMA and Parish elevation requirements at 300 A. T. Gisclair Road, Warehouse A, B & C, Golden Meadow; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Lorraine to introduce the above stated proposed ordinance. Mr. Matherne asked Mr. Lorraine what this variance was about. Mr. Lorraine explained that this was in the Fourchon area, in that it was for the warehouse only, in which they do have approval from FEMA to do so. He explained that it was not for the living quarters, that it and everything thing else has to be up to the required elevation. A brief discussion continued in regards to variances and FEMA approvals.

The next item (31) on the agenda was a proposed ordinance to accept the subdivision known as the Lot Extensions across property of Daten Chauvin into the Parish System. A **motion** was offered by Mr. Richard to introduce the above stated proposed ordinance.

The next item (32) on the agenda was a proposed ordinance to accept the subdivision known as the Richard Lasseigne Subdivision into the Parish System. A **motion** was offered by Mr. Richard to introduce the above stated proposed ordinance.

The next item (33) on the agenda was a proposed ordinance to accept the subdivision known as the Re-subdivision of Lot 7 into Lots 7A and 7B of Block 1 for Eugene Babin into the Parish System. A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (34) on the agenda was a proposed ordinance to **accept** the subdivision known as **Abby Lakes Subdivision** into the Parish System. A **motion** was offered by Mr. Matherne to introduce the above stated proposed ordinance.

The next item (35) on the agenda was a proposed ordinance to **accept** the subdivision known as the **Re-division of Parcel 1 into 1B and remaining land belonging to Energy Realty Investment Company, L.L.C.** into the Parish System. A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (36) on the agenda was a proposed ordinance to **accept** the subdivision known as the **E. J. Gremillion Subdivision** into the Parish System. A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (37) on the agenda was a proposed ordinance to **accept** the subdivision known as the **Sugar Plantation Subdivision, Phase "B-1"** into the Parish System. A **motion** was offered by Mr. Richard to introduce the above stated proposed ordinance.

The next item (38) on the agenda was a proposed ordinance to **accept** the subdivision known as the **Division of Tract A, Block 2, Abby Subdivision into Tract A-1 and A-2** into the Parish System. A **motion** was offered by Mr. Richard to introduce the above stated proposed ordinance.

The next item (39) on the agenda was a proposed ordinance **approving** the attached **Servitude Agreement** between **BellSouth Telecommunications, Inc.**, A Georgia Corporation, D/B/A AT&T Louisiana represented by Don A. Frederick and the Lafourche Parish Council; and authorizing the Parish President to **sign, execute and administer said agreement.** A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (40) on the agenda was a proposed ordinance to **rename** the **T-Bois Bridge**, also known as the North Larose Bridge, located at 11602 Hwy 308 Larose, Louisiana to **Le Pont Orange.** A **motion** was offered by Mr. Gouaux to introduce the above stated proposed ordinance.

The next item (41) on the agenda was a proposed ordinance **providing a Variance** from Section 19:352.A.1.(i.), (ii.), (iii.) of the Lafourche Parish Subdivision Regulations on **Tract R-1, property belonging to Jesse Sapia** (Ward 7, District 2) as **not recommended** by the Lafourche Parish Planning Commission at their July 31, 2008 Planning Commission meeting. A **motion** was offered by Mr. Toups to introduce the above stated proposed ordinance.

The next item (42) on the agenda was a proposed ordinance **providing a Variance** from Section 19:351.B.1 (ii) of the Lafourche Parish Subdivision Regulations on **re-division of Lot 8 Block 5 into Lot 8-A & 8-B Abby Plantation Estate Subdivision** (Ward 5, District 1) as **recommended** by the Lafourche Parish Planning Commission at their July 31, 2008 Planning Commission meeting. A **motion** was offered by Mr. Richard to introduce the above stated proposed ordinance.

The next item (43) on the agenda was a proposed ordinance to **Acquire Ownership** of property at **174 Mars Street, Thibodaux, Louisiana** (Lafourche Parish), as part of the **FEMA Hazard Mitigation Grant Program**; to authorize the Parish President to sign and execute all necessary documents; to provide for the recordation of all documents and to provide copies to all involved parties. A **motion** was offered by Mr. Fertitta to introduce the above stated proposed ordinance.

RESOLUTIONS

The next item (44) on the agenda was a resolution imposing a hiring freeze on office personnel until a compliance officer and field office personnel are adequately staffed, subject to Council approval. A **motion** was offered by Mr. Fertitta and seconded by Mr. Richard. Very detailed discussion, comments, and concerns ensued in regards to the intent and purpose of this item. Mr. Richard then withdrew his second and Mr. Fertitta removed his motion. A **motion** was then made by Mr. Fertitta, seconded by Mr. Richard, *to defer this item until the September 9th meeting*, which **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

DEFERRED

The next item (45) on the agenda was a resolution to proceed with South Central Planning as Coordinator for securing funding through the Safe Routes to School Program for infrastructure lighting for schools in District 5. A **motion** was offered by Mr. Matherne and seconded by Mr. Toups. Mr. Matherne said that he was wondering if they can change it, if they so desired, to state the “Parish” instead of just “District 5”. Mr. Toups stated that it can be amended to do so.

Mr. Matherne then made a **motion** *to amend* the resolution, to state “Parish” instead of just “District 5”, seconded by Mr. Toups, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

The *amended resolution* then **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-279 SCPDC - COORDINATOR - SAFE ROUTES TO SCHOOL PROGRAM

The next item (46) on the agenda was a resolution appointing three (3) Commissioners to the Juvenile Justice Commission. A **motion** was offered by Mr. Jones and seconded by Mr. Lorraine. Chairman Delatte stated that there were three applications, needing three nominations, and then asked for them. Mr. Fertitta nominated reappointing Mr. Randall Bertrand, Ms. Cherie Bright, and Mr. Lloyd Guidry. The nominations for reappointments **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-280 APPOINTMENTS - JUVENILE JUSTICE COMMISSION

The next item (47) on the agenda was a resolution appointing four (4) Commissioners to the Lafourche Parish Commission for Women. A **motion** was offered by Mr. Richard and seconded by Mr. Fertitta. Chairman Delatte stated that there were four applications, needing four nominations, and then asked for them. Mr. Richard nominated four people; naming Ms. Donna McBroom-Theriot, Ms. Sharon Gauthe, Ms. Celena Rousse, and Ms. Andrea Stentz. The nominations **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-281 APPOINTMENTS - COMMISSION FOR WOMEN

The next item (48) on the agenda was a resolution reappointing one (1) Commissioner to the Fire Protection District No. 9 Board. A **motion** was offered by Mr. Toups and seconded by Mr. Gouaux. Chairman Delatte stated that there was one application, needing one nomination, and then asked for one. Mr. Toups nominated Mr. Robert J. Landry. The nomination **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-282 APPOINTMENTS - FIRE PROTECTION DISTRICT NO. 9

The next item (49) on the agenda was a resolution to approve an agreement with the Veterans Memorial District of Ward 10 of Lafourche Parish and authorizing the Parish President to sign, execute and administer said relevant documents and amendments. A **motion** was offered by Mr. Lorraine and seconded by Mr. Doucet. Mr. Toups asked what exactly what they were agreeing to, asking if they were going to take care of their roads in all. Chairman Delatte replied that it was \$100,000 for a road project. Mr. Lorraine commented that he would have to make amendments in regards to this item, first going to \$130,000 and adding that the Veterans will be responsible for the parking lot. He said that they have done quite a few streets throughout the Parish since 1997 when they first passed Road Sales Tax District #2, then passing Road Sales Tax District #3 in 1998, next passing Road Sales Tax Districts #5 and 6 in 1999; in that they have since then combined Road Sales Tax District #3, 5, and 6 to become District A. Mr. Lorraine stated that they have also done a lot of streets throughout the Parish when they bonded out approximately \$15 million, to help the rest of the areas in the Parish. He expressed that he just wanted to make it clear that out of all of the street projects that were done throughout the Parish, that there were three entities that participated. Mr. Lorraine declared number one, the first street to ever be paved with Road Sales Tax District #2, was Clovelly Road; stating that Stone Energy, who happens to be an oilfield company, put up \$100,000 of their money to assist the Parish. Mr. Lorraine continued by saying that when the Parish turned over the Airport to the Greater Lafourche Port Commission, the first thing they wanted to do was pave the street; in which the project cost \$450,000, with the Parish paying for it with monies from Road Sales Tax District #2, but the Port Commission reimbursed the Parish with a check for \$374,000; so they participated. He then said that they now have the Veterans Memorial District, in which they were looking at paving their street and the parking lot behind the Monument, stating that they were going to participate, \$100,000. Mr. Lorraine explained that the point he was trying to make was out of all the streets that they have paved throughout this Parish that they only have three entities that have participated to help, in that nobody else has. So, he felt that they should go ahead and do this, helping them out because they were also willing to help themselves.

Mr. Lorraine then made a **motion** to *amend* the resolution, to increase it to “\$130,000” and to also include that “*the Veterans will be responsible for the parking lot*”. President Randolph requested that she give them the formal language; stating “*they will be responsible for any maintenance and repairs to the parking lot; and any costs over the estimated costs*”. The amendment was seconded by Mr. Doucet.

Mr. Toups asked where this money was coming from, if it was coming from Road Sales Tax District #2; in which Mr. Lorraine replied as to yes. A brief discussion ensued in regards to the monies and of other roads needing paving throughout the Parish. Mr. Lorraine then commented that this was a District Tax; but when the Parish had bonded out \$15 million that he had supported the rest of the Parish, along with prior Councilman Brent Callais, to help them with the streets. A very brief discussion continued in regards to paving other streets throughout the Parish.

Chairman Delatte requested that the Council Clerk, Ms. Carleen Babin, clarify the proposed amendment by reading it to refresh everybody’s mind. Ms. Babin stated that the amendment would change the \$100,000 to \$130,000; adding a new Whereas, to where “*the Veterans Memorial District of Ward 10 will be responsible for any maintenance and repairs to the parking lot; and any costs over the estimated costs*”. Mr. Lorraine apologized, stating that he believed that he proposed the amendment wrong; in which President Randolph agreed. President Randolph clarified that they should leave it at \$100,000 amount; in which Mr. Lorraine agreed that it should remain at \$100,000, being the amount that the Veterans were participating in, being payments of five years at \$20,000. Chairman Delatte then suggested that the amendment be reread; with Ms. Babin clarifying that the \$100,000 will stay as it is, in that a Whereas will be added to read, “*Whereas, the Veterans Memorial District of Ward 10 will be responsible for any maintenance and repairs to the parking lot; and any costs over the estimated costs*”. The **amendment** then **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones. The **amended resolution** then **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-283 AGREEMENT - VETERANS MEMORIAL DISTRICT OF WARD 10

The next item (50) on the agenda was a resolution **approving Change Order No. 1** for the project entitled “**Road Sales Tax District 2, Project 4D**” increasing the contract price by \$196,620.00, and an additional 10 days to complete the project; and authorizing the Parish President to sign, execute and administer said Change Order and all relevant documents. A **motion** was offered by Mr. Lorraine, seconded by Mr. Doucet, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-284 CHANGE ORDER #1 - ROAD SALES TAX DISTRICT 2, PROJECT 4D

The next item (51) on the agenda was a resolution **approving a Transfer of Appropriation (TA 08-007)** and authorizing the Parish President to transfer **\$40,000 from the Leighton Pump Project to create the Morvant Gates Project** within Lafourche Parish 2008 Capital Outlay Fund; and authorizing the Parish President to sign, execute and administer said Transfer of Appropriation and any and all relevant documents. A **motion** was offered by Mr. Richard.

Mr. Richard then asked for an explanation about the \$40,000 amount. Mr. Robichaux, Director of DPW, explained that previously there were boxes on the discharge pipes for the pumps, in that they were currently putting gates on them, but the gates that were on there years ago are all torn up, so they were replacing them. He further stated that it keeps the pumps from back flowing; being a real legitimate project that has to get done. Chairman Delatte mentioned that he had personally road out there and took a look at it, in that they were taking in more water in through the Morvant Pump Station than what they were pumping out of it at this time. He said that he would actually almost consider it to be an emergency considering the situation as it currently was; expressing that it was a much needed project.

The motion was then seconded by Mr. Lorraine, and **carried** by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

**RES. NO. 08-285 TRANSFER OF APPROPRIATION -
LEIGHTON PUMP PROJECT/MORVANT GATES PROJECT**

The next item (52) on the agenda was a resolution **approving a Transfer of Appropriation (TA 08-008)** and authorizing the Parish President to transfer **\$700,000 from the Leighton Pump Project to the Parr Pump Project** within Lafourche Parish 2008 Capital Outlay Fund; and authorizing the Parish President to sign, execute and administer said Transfer of Appropriation and any and all relevant documents. A **motion** was offered by Mr. Gouaux and seconded by Mr. Doucet.

Mr. Fertitta first commented that he was not against the transfer; but he would like an explanation of why they started with \$784,437 and will only transfer \$700,000; asking why it was not the full amount. He further explained as to what his question was; with a discussion then ensuing as to clarify what was being asked. President Randolph then explained that they had identified the Leighton Pump Station Project as one of the Capital Projects that will not be accomplished this year; in that the North Lafourche Levee District had received a grant for the Parr Pump Station, but it was \$600 something thousand short of the required amount. She said that Administration has funded two pump projects in the 2009 Budget at \$1.2 million; one of them being the Parr Project; but since they can use the Leighton money in 2008 to supplement the Parr Project and allow it to be completed, that they will then identify the \$1.2 million in the 2009 Budget for the Leighton Pump Station Project. President Randolph continued by explaining as to where there was a balance of \$744,000 for 2008, instead of just replacing that money that they have increased it by \$500,000. Mr. Fertitta then asked if they were using the \$700,000 for Parr; with Chairman Delatte stating that it was from Leighton Pump Station, in that would be correct. Mr. Fertitta then questioned if they were going to budget \$1.2 million for Leighton in 2009; with President Randolph and Chairman Delatte both replying that was correct. Mr. Fertitta next asked what was the guarantee that the \$1.2 million will be funded in 2009. President Randolph replied by reading from the resolution, which says “Whereas, Administration is requesting to use \$700,000 of the Leighton Pump project to provide the match and will fund the renovations of Leighton Pump in the 2009 Budget”. Discussion continued in

regards to the amounts. Mr. Fertitta asked if the way Administration was interpreting this was that the whole Leighton Pump Station will be funded; in which President Randolph and Chairman Delatte both replied that he was correct.

Mr. Lorraine then asked if that money was budgeted for Leighton; in which Chairman Delatte replied that he was correct. Mr. Lorraine next asked if the project was going to get done this year, exclaiming that they were already in September. Chairman Delatte replied as no, in that it could not be done. Mr. Lorraine said that if it is not, to just leave the money at Leighton and put the other project in the 2009 Budget. President Randolph stated that the North Lafourche Levee District had received the money and had actually bid out the Parr Pump Station Project, so it was ready for construction, in that they need the money now to complete the project. Discussions and further explanations briefly continued in regards to the projects. President Randolph stated for the record that it will indeed be funded in 2009, to the tune of \$1.2 million. Further comments were made in regards to the projects.

Mr. Doucet reiterated the question that Mr. Fertitta was asking about, in that there was \$744,000 starting and they were only moving \$700,000; asking where was the other \$44,000. Chairman Delatte replied that \$40,000 was going to the Morvant Flood Gates, which they had just voted on, leaving \$44,000 in the budget. Mr. Toups then asked President Randolph, just to clarify for his people, if this will not interfere with the \$1.2 million for the Jessie Dufrene Pump Station; with President Randolph replying that was correct. Discussions continued in regards to the projects.

The resolution *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-286 TRANSFER OF APPROPRIATION - LEIGHTON & PARR PUMPS

The next item (53) on the agenda was a resolution to hire Loulan J. Pitre, Jr. as Attorney on behalf of the South Lafourche Beachfront Development District; and authorizing the Parish President to sign, execute and administer any and all related documents. A **motion** was offered by Mr. Lorraine and seconded by Mr. Doucet.

Mr. Fertitta asked if this was passed by the District Attorney; with President Randolph replying as yes, in that they have to go before the District Attorney for all these decisions.

Mr. Lorraine said that this Board that the Parish created has done a lot of work; that there were different entities that was involved with this, such as the Council, the Administration, the Port Commission, the Sheriff, and Fire District #3. He stated that they have been meeting pretty frequently, in that they have done a real great job with the Board, with the leadership of Mr. Al Danos. Mr. Lorraine explained that they were just asking for a little of assistance in case something may come up, wanting to be prepared. He suggested that anyone take a ride to the beach when they get a chance, in that they could not imagine how much people are out there enjoying themselves; mentioning an occasion when he had gone out the Saturday before. Mr. Lorraine continued by saying that he wanted to give credit to the District, where credit was due, because they were really working hard, in that they were working with the Port, even trying to keep the beach open even longer. He expressed that he was just asking for the Council's assistance on this matter, in case something comes up soon. President Randolph further clarified that this was not just for the Beachfront Development District, in that it was also for the Parish. She stated that the Parish had taken some action removing pilings, in that they now face potential litigation. President Randolph explained that it was in conjunction with the Beachfront Development District, in that the Parish was hiring Mr. Pitre; just wanting to make it clear that it was not solely for the District, but for the Parish as well.

The resolution *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

**RES. NO. 08-287 HIRE LOULAN J. PITRE, JR. AS ATTORNEY -
SOUTH LAFOURCHE BEACHFRONT DEVELOPMENT DISTRICT**

The next item (54) on the agenda was a resolution approving the purchase of 30 portable Motorola radios, through State contract and authorizing the Parish President to sign, execute and administer any and all relevant documents. A **motion** was offered by Mr. Fertitta and seconded by Mr. Richard. Chairman Delatte asked President Randolph if this was to be given to Field Office Personnel, explaining that in his area that there were tractor drivers that take the levees and phone communications were nonexistent; in which he had some people that were concerned about that. President Randolph replied as yes. Chairman Delatte further commented that this could prove to be very helpful in his area. Mr. Doucet said that he saw that this was 30 “portable” radios, but does that also include a base station; with President Randolph replying as yes. Mr. Doucet continued by asking if it will have a monitor at a base station somewhere, at the main office or DPW. President Randolph replied that it was in association with the Sheriff’s Office and all the First Responders. Mr. Doucet commented that it would also help in emergency situations, through hurricanes and such; with President Randolph saying that was correct. Chairman Delatte stated that it would give the Parish 30 additional radios if all phone systems fail. Brief comments continued.

The resolution *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.
RES. NO. 08-288 PURCHASING 30 PORTABLE MOTOROLA RADIOS

The next item (55) on the agenda was a resolution accepting the low bid from Sealevel Construction, Inc. in the amount of \$16,860.00 for the repairs of the Mary Beth Bridge and authorizing the Parish President to sign, execute and administer any and all relevant documents. A **motion** was offered by Mr. Matherne, seconded by Mr. Toups, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-289 SEALEVEL CONSTRUCTION, INC. - MARY BETH BRIDGE REPAIRS

The next item (56) on the agenda was a resolution authorizing Natural Resource Professional, LLC to provide Lafourche Parish Government (Parish) with Section 404 Permitting Assistance for Levee A, Choupic Levee and the Resolution of Clean Water Act Violation at a rate of \$65 per hour, not to exceed \$25,000 and authorizing the Parish President to sign, execute and administer said relevant documents. A **motion** was offered by Mr. Gouaux, seconded by Mr. Richard, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-290 NATURAL RESOURCE PROFESSIONAL, LLC - SECTION 404 PERMITTING ASSISTANCE

The next item (57) on the agenda was a resolution in support of a grant application by Lafourche Parish Government with the State of Louisiana, Office of Community Development, Local Government Assistance Program. A **motion** was offered by Mr. Toups, seconded by Mr. Gouaux, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

RES. NO. 08-291 GRANT APPLICATION - OFFICE OF COMMUNITY DEVELOPMENT LOCAL GOVERNMENT ASSISTANCE PROGRAM

The next item (58) on the agenda was a resolution approving a Federally Funded Agreement between the Governor's Office of Homeland Security and Emergency Preparedness and Lafourche Parish Government for the Lafourche Parish Government LeBlanc Drive Drainage Improvements Project (HMGP 1601-057-0001) through the Hazard Mitigation Grant Program; and authorizing the Parish President to sign, execute and administer said agreement and all relevant documents. A motion was offered by Mr. Gouaux and seconded by Mr. Toups.

President Randolph acknowledged Ms. Gretchen Caillouet for her persistence in this; which there was one FEMA Grant for this particular storm and they got it. Chairman Delatte congratulated her on the \$212,000 grant.

The resolution *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

**RES. NO. 08-292 FEDERALLY FUNDED AGREEMENT -
LEBLANC DRIVE DRAINAGE IMPROVEMENTS PROJECT**

The next item (59) on the agenda was a resolution accepting the grant award from the United States Department of the Interior Minerals Management Service to fund planning, engineering, design and construction of the Northwest Little Lake Marsh Creation and Enhancement Project proposed as described in the June 2007 Coastal Impact Assistance Plan; and authorizing the Parish President to sign, execute and administer said grant and all relevant documents, amendments and modifications. A motion was offered by Mr. Doucet, seconded by Mr. Lorraine, and *carried* by a vote of (8) yeas, (0) nays, and (1) absent, that being of Mr. Jones.

**RES. NO. 08-293 GRANT AWARD - U.S. DEPT. OF THE INTERIOR MINERALS
MANAGEMENT SERVICE - NORTHWEST LITTLE LAKE MARSH
CREATION AND ENHANCEMENT PROJECT**

PUBLIC WISHING TO ADDRESS THE COUNCIL (SECOND SESSION)

The next item on the agenda was the second session of the Public Wishing to Address the Council.
No one requested to address the Council.

DISCUSSIONS

The next item (60) on the agenda was a discussion to obtain the necessary right-of-ways to facilitate drainage improvements on Babin Street in Bayou Blue. Mr. Matherne stated that this discussion goes back to March 28, 2001; saying that he would skip the first page and get right to the meat of it; reading from minutes, "*A motion was offered by Mr. Rhebb Rybiski that the Department of Public Works through the Administration send whatever personnel necessary to acquire the necessary right-of-ways if possible and if the acquisition of right-of-ways is not possible, then the Parish will take action to expropriate whatever property is needed to dig a drainage ditch to relieve the flooding situation on Babin Street. A second was received from Mr. Lindel Toups. An amendment was offered by Mr. Roland Soignet that the Administration contact state officials in an effort to receive funding from the state to improve this situation.*" Mr. Matherne continued by stating that the minutes also stated, "*Next, the Committee unanimously, with one absent recommended for approval a motion requiring the Department of Public Works through the Administration send whatever personnel necessary to acquire the necessary right-of-ways if possible and if the acquisition of right-of-ways is not possible, then the Parish will take action to expropriate whatever property is needed to dig a drainage ditch to relieve the flooding situation on Babin Street and that the Administration contact state officials in an effort to receive funding from the state to improve this situation.*" Mr. Matherne then stated that he would request that the Council Clerk, Ms. Carleen Babin, put this on as a proposal for the next meeting; in that he would give the Department of Public Works 30 days to try to get the necessary right of ways. He expressed that this has been voted on

and approved in 2001 to go ahead and expropriate; in that he thought that eight years and eight months was long enough to try and get a right of way. Mr. Matherne reiterated his request to the Council Clerk, to put this as an item on the next meeting agenda, in which he will propose that they go ahead and implement what was passed in March of 2001.

Mr. Richard then asked President Randolph if they were able to proceed with the Attorney for the expropriation down the bayou. President Randolph replied that they had a meeting at the District Attorney's Office the day before concerning that situation, in which the consensus was that the Parish would hire an Appraiser to allow to determine what the expropriation would cost, so that the Council can make a comparison to purchasing additional property or the expropriation; being upon the advise of the District Attorney, in that Administration goes before the Council to suggest an Appraiser to do an assessment. Mr. Richard expressed that he has a problem with having to pay for something that somebody stopped up, being a big concern. He said that the people stopped up the ditch up that drained the area. Mr. Richard asked President Randolph how they got involved in buying the property that they already have. President Randolph stated that the District Attorney has advised them, in that even when you expropriate you have to pay the Fair Market Value, and when you pay that for a ditch that now runs under his home that it may be more costly than purchasing additional property. She reiterated that this was the legal advice which was received. Mr. Doucet commented that he appreciated Mr. Richard's concern, but it is said that Government has to pay for property when they go out and take it. He said that some people believe that the cost to expropriate is going to be more than purchasing nearby property and bore underneath the road. Mr. Doucet stated that he did not believe so, in that he thought that expropriation is the way to go, being the cheaper route. He said that getting an appraisal on that property is going to determine and let them know what the odds were, and how soon. Mr. Doucet went on to say that there was a lot of guessing going around, in that it was still open and they were working on this. He said that they were currently holding back on a Lawyer until after the appraisal; that they would then get a Lawyer after the appraisal comes in. Mr. Doucet made statements regarding a meeting that was held, saying that he believed that if they do not stance in this situation, for this expropriation, then nothing else that will ever happen will ever mean anything. He continued to voice his opinions, in that the Parish will get run over, walked over, and that the Department of Public Works can just pack it up because they will not have any backbone to back up anything that will be said, especially when someone breaks the law and it is not carried out.

Mr. Robichaux, Director of DPW, commented that sometime back, a month or two ago, that the Council had passed an ordinance to where they revisited the State ordinance in regards to people stopping flooding; in which they found that the fine was \$25. In which today, the Parish's ordinance is \$25 and up to \$10,000 a day, so that may stop people from stopping drainage. Mr. Robichaux stated that Michael Crosby, being the individual that owns property on the north side, has reiterated that he would give the Parish the right of way, which they have on the north ditch. He said that there were four property owners that did not given the right of way, in which he will give those to Mr. Doucet so he may assist in getting those right of ways. Mr. Robichaux stated that he thought that even though they did not get those four that they should go in and clean the north ditch; in which he really believed that it would help drain the school. He further expressed that anything that they can do will help. Mr. Robichaux stated that they will start cleaning the ditch with President Randolph's consent. He then asked if Mr. Doucet agreed. Mr. Doucet replied that it will help 54th Street to some extent, but as the Engineer had said that it will not solve the problem, in that it will help some. He said that this will allow them to move forward and get this done, in that it will be through the help of Mr. Michael Crosby, being Mr. Charles Crosby's son. Chairman Delatte commented that it will be a start.

Mr. Matherne then commented on the expropriation on the end of Babin Street, in that if the Administration or the Department of Public Works was making any headway at all on getting a right of way, that he does not want to expropriate anybody's property, which he will pull the item at the next meeting if there was any headway.

ADJOURNMENT

On **motion** by Mr. Richard and seconded by Mr. Fertitta, and with no further business, the Lafourche Parish Council Meeting of **August 26, 2008 adjourned 7:57 p.m.**

MICHAEL F. DELATTE, CHAIRMAN
LAFOURCHE PARISH COUNCIL

CARLEEN B. BABIN, COUNCIL CLERK
LAFOURCHE PARISH COUNCIL

State of Louisiana
Parish of Lafourche

“Proclamation”

Whereas, Brayden Breaux, better known by all as “B,” was diagnosed in March of 2003 with Ependymoma, a malignant brain tumor, just one week after his second birthday; and
Whereas, the next four years were filled with surgeries, treatments, and hospital stays; and
Whereas, through it all, Brayden never lost his “B” attitude or allowed his family and friends to “B” anything less than happy; and
Whereas, Brayden never met a stranger and touched many lives throughout his life; and
Whereas, Brayden not only touched lives in his community, but throughout the world as well as evidenced by viewing his website; and
Whereas, Brayden’s favorite color was orange; and
Whereas, Brayden’s community kicked off an Orange Ribbon Campaign in honor of Brayden; and
Whereas, Brayden’s request was to have a day where everyone wore orange, including the President of the United States; and
Whereas, on December 29, 2006, Brayden “B” Breaux lost his battle with cancer at the age of 5½; and
Whereas, Feb. 28, 2007 was proclaimed ‘Orange Day’ by President Randolph and Governor Blanco, a day where residents wore orange and donated money in support of children with life-threatening illnesses;
Now, therefore, I, Charlotte A. Randolph, President of the Parish of Lafourche, State of Louisiana, on behalf of the Lafourche Parish Council, do hereby proclaim September 5, 2008, as

Brayden “B” Breaux’s Orange Day

in Lafourche Parish and encourage all citizens of Lafourche Parish to participate by wearing orange on that day in memory of Brayden.

In witness thereof, I do hereunto set my signature and have cause to be affixed the official seal of the Parish of Lafourche, State of Louisiana, on this 26th day of August, 2008.



Charlotte Randolph

Charlotte A. Randolph, President
Lafourche Parish Government

Michael Delatte

Michael Delatte, Chairman
Lafourche Parish Council

Exhibit “A”

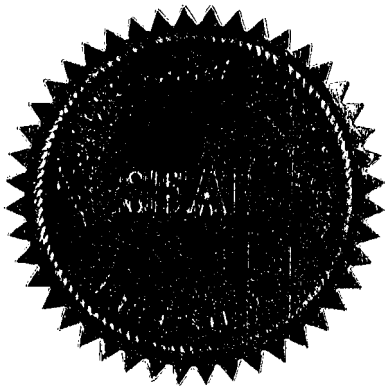
State of Louisiana
Parish of Lafourche

In the name of and by the authority vested in me by the Parish of Lafourche, and on behalf of Lafourche Parish, I hereby recognize and honor

Dominick Fillinich

as a member of the AAA Bayou Blazers Track and Field Club who competed in the 2008 AAA National Junior Olympics in Detroit, Michigan.

In Witness Whereof, I do hereunto set my signature and have cause to be affixed the official seal of the Parish of Lafourche, State of Louisiana, on this 26th day of August, 2008.



Charlotte A. Randolph

Charlotte A. Randolph, President
Lafourche Parish Government

Michael J. Delatte

Michael Delatte, Chairman
Lafourche Parish Council

Exhibit "B"

"B"

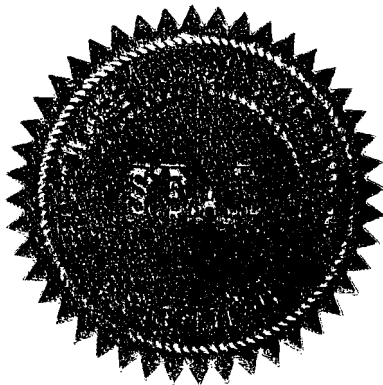
State of Louisiana
Parish of Lafourche

In the name of and by the authority vested in me by the Parish of Lafourche, and on behalf of Lafourche Parish, I hereby recognize and honor

Tyler Esponge

as a member of the AAA Bayou Blazers Track and Field Club who competed in the 2008 AAA National Junior Olympics in Detroit, Michigan.

In Witness Whereof, I do hereunto set my signature and have cause to be affixed the official seal of the Parish of Lafourche, State of Louisiana, on this 26th day of August, 2008.



Charlotte A. Randolph

Charlotte A. Randolph, President
Lafourche Parish Government

Michael Delatte

Michael Delatte, Chairman
Lafourche Parish Council

Exhibit "B"

"B"

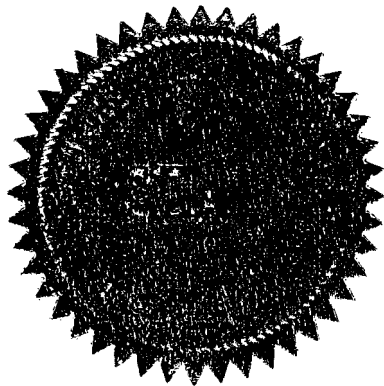
State of Louisiana
Parish of Lafourche

In the name of and by the authority vested in me by the Parish of Lafourche, and on behalf of Lafourche Parish, I hereby recognize and honor

Blaine Gisclair

as a member of the AAU Bayou Blazers Track and Field Club who competed in the 2008 AAU National Junior Olympics in Detroit, Michigan.

In Witness Whereof, I do hereunto set my signature and have cause to be affixed the official seal of the Parish of Lafourche, State of Louisiana, on this 26th day of August, 2008.



Charlotte A. Randolph

Charlotte A. Randolph, President
Lafourche Parish Government

Michael J. Delatte

Michael Delatte, Chairman
Lafourche Parish Council

Exhibit "B"

"B"



**LAFOURCHE PARISH
QUARTERLY REPORT
TO
GOVERNING BODIES**

April, May, June 2008

STAFF:

Michael C. Hebert, County Agent
Deborah S. Melvin, Extension Agent
(Nutrition)
Turquoise Thibodeaux, FNP Nutrition
Educator
Bobby H. Fletcher, Area Agent (Horticulture)
David Bourgeois, Area Agent (Fisheries)
Donna G. Ayo, Extension Agent (4-H)
Katie Wilcox, Assistant Extension Agent (4-H)

402 West 5th Street
Thibodaux, LA 70301
P. O. Box 429
Thibodaux, LA 70302
Office: (985)446-1316
Fax: (985)449-1549
Email: lafourche@agctr.lsu.edu

Exhibit "C"

AGRICULTURE

Livestock



The first calf to carcass program conducted by the LSU AgCenter in Lafourche and

Nicholls State University concluded in May with the last pair of cattle being sold from the Oklahoma feedlot where they have been since October. The Lafourche calves averaged 1,323 lbs. when they were processed. The cattle gained 3.29 pounds per day which is above the state average. Of the 80 head delivered from Nicholls, 18 graded choice, 3 graded standard and the rest of them graded select which is very good for our type of cattle.

The second Master Cattle class concluded in May. Twenty-nine cattle producers completed the 12 month program.

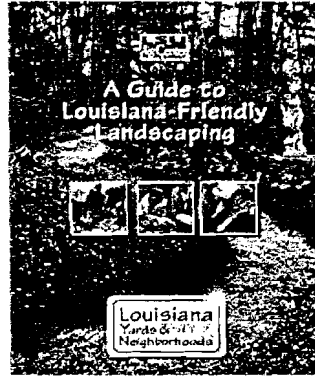
Fisheries



America's Wetland Conservation Corps volunteers installing 150 posts for 1500' of sand fence.

Bonne Terre Garden Fair

The third annual Bonne Terre Garden Fair was held and reached over 400 area residents. This educational program, coordinated by the LSU AgCenter and La-Terre Master Gardeners, included 12 educational presentations, eight educational exhibits, over 40 vendors with garden related products for sale, a plant sale



plus an art show highlighting gardening. The goal of this program is to increase knowledge related to home grounds and gardening. The focus of this year's program was to educate the public regarding

the reduction of non point source pollution from residential areas. The "Louisiana Yards and Neighborhoods" publication was one of the major focuses of the program.

Tomato Field Day



The eighth annual Tomato Field day was recently held and focused on home and commercial tomato production using research based best management practices to educate gardeners on recommended research based information to produce better tomatoes. Over 200 area residents attended this educational program which included: a largest tomato contest, best dressed tomato, most beautiful tomato, smallest tomato and a tomato taste test.

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The largest tomato was 2.2 pounds and was grown in the Bayou Blue area. Master Gardener volunteers were involved from transplant to harvest and increased their knowledge in growing tomatoes commercially.

FAMILY AND CONSUMER SCIENCES

Smart Bodies



Dr. Susan Hoffman volunteered to assist with the Smart Bodies – Body Walk exhibit, held at St. Luke's Community Center, for the students at W.S. Lafargue, Thibodaux Elementary, and St.

Genevieve Schools. Over 800 children participated in the walk-through display which represented organs in the human body. Dr. Hoffman is shown instructing students about the importance of helmets to protect their brains.

Family Nutrition Program

Over 50 moms received Nutrition education classes at all three of the Even Start Adult Education Sites. Students learned the importance of following the USDA's Dietary Guidelines using the Food Guide Pyramid.



Centennial Celebration

Former Lafourche parish 4-H Club members look over 4-H memorabilia at the 100 Year Celebration held at the Raceland Ag Building on



April 19th. Over 200 people gathered together to share memories, reflect on the past and look forward to the future

of 4-H in Lafourche parish. Mr. Dalton Landry, former Parish Chair for the Lafourche Extension Service, was honored as an inductee to the Louisiana 4-H Hall of Fame.

4-H Camp

"Fun for a week – Memories for a lifetime". That's the theme of the summer 2008 4-H camping experience at the Grant Walker 4-H Educational Center near Pollock, LA.



117 campers, counselors and adult volunteers participated in swimming, canoeing, archery, volleyball, softball, line dancing, dramatic arts and more. Camping is one of the most valuable experiences a child can have. It's a learning experience that helps boys and girls appreciate the outdoors and have fun doing it.

OTHER PROGRAMS CONDUCTED

- Provided information to over 6000 Lafourche residents
- Conducted 25 different programs to Lafourche residents
- Conducted ryegrass variety demonstration featuring 16 varieties
- The 11th & 12th Master Cattle Producers classes were held. Environmental Issues was the topic of both classes.

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- Conducted a Sugarcane Advisory Committee meeting and Beef Cattle Advisory Committee meeting.
- Participated in Farm City Program at South Lafourche High School
- Attended Cattle Association & Farm Bureau Board meetings
- Met with Ag Building steering committee
- Conducted evaluations for Lafourche Extension Agents
- Attended sugarcane training meeting to focus on new varieties
- Participated in 2 LSU AgCenter Faculty Council meetings
- Collected forage, hay, and water samples for 15 Lafourche residents
- Mailed quarterly beef cattle newsletter to over 450 cattle producers in a 6 parish area
- Attended State Farm Bureau Convention
- Conducted a 4-H Sportfishing demonstration and provided trawling information for 200 visitors at the World Water Day event in Thibodaux and for 2000 visitors at the Assumption AgDay event in Napoleonville.
- Conducted an invasive species presentation for 1200 grade school children, teachers and chaperones at the Terrebonne Aquatic Clinic.
- Organized volunteers and completed repairs to two Lafourche Christmas tree coastal restoration projects for Les Reflections de Bayou and the Lafourche Parish Coastal Zone Management office.
- Conducted an ornamental pond and water garden presentation for 20 attendees at the annual La-Terre Garden Show.
- Planned, arranged and conducted a Coastal Roots planting for 67 students, teachers and chaperones at Fifi Island. 200 marsh plants were planted to protect 1 acre of the island.
- Organized and participated in the annual Coastal Roots Summer Institute. 23 participating teachers received 18 hours of professional improvement credit.
- Conducted a recreational fish pond management program for 12 attendees at the Jean Lafitte National Park building in Thibodaux.
- Started a multi-parish monofilament fishing line recovery program. AWCC members are installing recovery bins and will recycle the fishing line monthly.
- Presented a Storm Surge Model program to the Lafourche Parish Council, Parish President and her staff at their May 27th regular meeting.
- Organized a beach sweep for AWCC members in conjunction with BTNEP volunteers at Fourchon Beach. 25 volunteers spent half the day picking up 4 trailer loads of trash.

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- Organized a beach restoration project for AWCC members in conjunction with the NSU Biology Dept. at Fourchon. 6 AWCC members spent 3 days installing 150 posts, 1500' of sand fence, 500' of bagasse tubes and planted 4000 beach plants.
- Visited marinas, bait shops and sporting goods stores to promote the La. DNR Marine Debris Reporting program.
- Participated in the monthly Lafourche Parish Coastal Zone Management Advisory Committee meetings
- Provided a monthly newspaper article to 7 area newspapers and 1 website.
- Provided a monthly newsletter to almost 350 electronic subscribers
- Provided technical and field assistance to callers concerning: Recreational fish ponds-25; Crawfish ponds-12; Snakes-2; Birds-2; Beavers-1; Coyotes-1; Apple snails-1
- Farm and Home visits to sugar, beef & horticulture producers - 34, KLRZ- 5, KTIB- 3, Get it Growing news articles- 4
- Attended Louisiana Extension Association of Family and Consumer Sciences Annual Conference in Shreveport
- Attended Family and Consumer Sciences Spring Professional Development Conference in Baton Rouge
- Made nutrition presentations for Even Start mothers at TOP North and TOP South
- Made presentation on the role of the LSU AgCenter and the FCS program in Lafourche Parish for Leadership Lafourche group
- Made presentation for Nicholls Student Nurses Association on the Smart Bodies program
- Made presentation on organizing and managing healthy home meals for Lady of the Sea Hospital
- Conducted Lafourche/Terrebonne FCS Advisory Committee meeting
- Conducted Nutrition Advisory Committee meeting with Lafourche Parish School Board Child Nutrition Supervisor Lauren Fletcher
- Participated in Nicholls Dietetics Advisory Committee meeting
- Completed Smart Portions series of 8 classes with employees of T. Baker Smith in Houma for their company wellness program
- Completed 2 Children in the Middle classes for 14 separated and divorcing parents
- Continuing to serve on LSU AgCenter state Wellness Program Committee which oversees the Live Fit employee wellness challenge
- Assisted Louisiana Department of Education with the writing of Grade Level Expectations (GLEs) for elementary, middle and high school Health & P.E. classes
- Made nutrition presentation at LSU AgCenter Tomato Field Day
- Trained 5 students for state 4-H University Consumer Foods Judging contest; one team placed 3rd in the state and the other was 7th
- Made presentation on the importance of exercise at the School Nutrition Association of Louisiana Conference in New Orleans
- Achievement Day was held on April 5th at Central Lafourche High School. 4-H'ers participated in various contests and activities. There were 8 scholarship recipients that were awarded a total of \$3,000.00.
- 10 Lafourche parish 4-H'ers participated in the 4-H District Cookery held April 22 in Houma. 4 first place, 3 second place, 2 purple ribbons and 3 blue ribbons were awarded.
- 5 Lafourche parish 4-H club members participated in the State Ambassador contest held April 22 in Baton Rouge. Alyssa Cruse of St. Joseph Elementary was awarded the State Winner in the Egg Illustrated Talk.
- 41 horses/exhibitors competed in performance and speed events at the Bayou Area Horse Show held April 27.
- On June 17-20, 65 Lafourche parish 4-H club members ages 13-18 competed in various contests and activities at 4-H U held on the LSU campus. 57 of these 4-H'ers earned a blue ribbon for their superior performance.
- 11 4-H club members competed in Baton Rouge at the District Horse Show held June 24-27 in performance and speed events.
- Participated as an exhibitor for the Lafourche Parish Head Start Volunteer Expo. Exhibits were displayed at Larose Civic Center in Larose, Lafourche Ag Building in Raceland, and Moses Community Center in Thibodaux.
- Participated as a presenter at a Health Fair for Joy Fellowship Ministries, Inc.; a local church.
- Senior Citizens at the Thibodaux Senior Citizen Center were educated on the importance of reading food labels and ways to reduce fat from their diets.
- Participants of the Fishes and Loaves Food Bank learned about fat. Over 60 people participated in a class titled "Taking a Bat at Fat"
- A food demonstration took place at the Office of Family Support. Clientele sampled Orange Smoothies, a recipe from the LSU AgCenter's Smart Choices Recipe Book.
- Weekly visits continued to take place at the local Office of Family Support, along with visits to the Good Samaritan Food Bank

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Finance Report
August 26, 2008

Joel C. Doty, Finance Director

Financial Reports

- Royalty Revenue Report
- Sales Tax Revenue Report
- Parish Transportation Report
- Operating Statements & Fund Recap

Financial Reports can be found at:
www.lafourche.gov.org
Finance Department



Royalty Revenues

	2007	2008
• 1 st Quarter	1,062,863	1,774,396
• 2 nd Quarter	1,185,506	1,733,132
• July	426,445	677,858
Total YTD	2,674,814	4,185,386



Road Sales Tax District #2

	2007	2008
• 1 st Quarter	1,335,411	965,657
• 2 nd Quarter	1,177,255	777,307
• July	562,870	321,412
Total YTD	3,075,536	2,064,376



Road Sales Tax District A

	2007	2008
• 1 st Quarter	839,258	880,714
• 2 nd Quarter	962,080	981,628
• July	358,035	329,201
Total YTD	2,159,373	2,191,543



Solid Waste

	2007	2008
• 1 st Quarter	1,626,736	1,643,298
• 2 nd Quarter	1,741,421	1,826,431
• July	669,820	700,986
Total YTD	4,037,977	4,170,715



Exhibit "D"

Parish Transportation Revenue

	2007	2008
• 1 st Quarter	192,094	151,787
• April	50,220	48,447
• May	59,847	52,485
• June	55,063	48,710
Total YTD	357,224	301,429

LAFORCHE
PARISH

District Attorney Opinion 08-008

- Revised Review of Findings
- Formal Cell Phone Policy in October 2008

LAFORCHE
PARISH

2009 Budget

- Moved to Administrator Level
- Meetings to discuss planned projects

LAFORCHE
PARISH

The End

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PARISH

" D "

May 18, 2007

To: Parish President, Charlotte Randolph
and Parish Council Members

From: B'Buddies Executive Committee

RE.: The Naming of the New North Larose Bridge

Dear President Randolph and Council Members,

We the Executive Committee of B's Buddies would like to put in a request to name the North Larose Bridge "Le' Pont Orange" (The Orange Bridge). The color Orange has become this community's symbol of courage, strength, support and unity. It has become the color of awareness for all children who have or are currently battling life threatening illnesses. This message is so strong that proclamations from our parish, the Town of Golden Meadow, and our State have been put into action. Orange Day for our parish was held on Feb. 28, 2007 in conjunction with "A Celebration of Life Day for Children Affected with ~~Terminal~~ ^{Life Threatening} Illnesses" by our state. One of these very special children was Brayden 'B' Breaux who lost his battle to cancer on December ~~28~~ ²⁹, 2006. His web. site www.caringbridge.org/visit/braydenbreaux has reached not only a national level but has also expanded Globally. His message, now echoed by our local children and their families, is clear, "B" Brave, "B" a leader, "B" yourself, "B" a Buddy, "B" extra special, and "B" never ending with love, smiles, laughter, fun, faith and support.

A bridge is a passage way from one place to the next. Well, many of these children and their families have shown our community, our state, and the world ~~this through~~

*their "B" attitude on their passage, their journey
their bridge of faith.*

Exhibit "E"

their journey (~~These children and families never gave up.~~) We as a community, have watched the construction of the bridge from its early planning stages and never gave up that it would ^{"B"} be completed. Now it stands big, tall and strong and many will use it as a passage way from here to there. We ask that the name of the North Larose Bridge be a vision of hope, love and faith which would remind us of not just of Brayden but his "B Attitude" to never give up and to believe in the Power of Orange.

We ask that you would please consider naming the new North Larose Bridge, "Le, Pont Orange" In Honor and Memory of the children who have and are battling life-threatening illnesses. May this bridge be a beacon of light that shines on for others to see and remember these special children.

Thanks You for your consideration,
B's Buddies

"E"











P.O. Drawer 5548 • Thibodaux, LA 70302 • Telephone 985.446.8427
Thibodaux 800.834.8832 Fax 985.446.8459 • Raceland 800.794.3160 Fax 985.537.7707

Charlotte A. Randolph, Parish President

Department of Public Works

August 7, 2008

Jason Paul Ponvelle
622 Parkside Drive
Thibodaux, La 70301

Ref: Bridge

Dear Jason:

It has been brought to the attention of Lafourche Parish, Department of Public Works there is a 6' x 30' bridge and other property owners do not want it there and constructed without a permit on the right of way at Parkside Drive, Thibodaux, LA. Public Works' concerns the safety of the children and neighborhood and cannot block servitudes / Right of Ways.

Department of Public Works respectfully requests the removal of the bridge causing blockage of servitudes and right of ways. Your prompt attention in this matter would be greatly appreciated with the removal of the bridge within sixty (60) days upon receipt of this letter due to the severity and liability of this violation.

Out of concern for the public and yourself this is to acknowledge the above-mentioned concern and serves to banish any and all liability claims against the Lafourche Parish President, its Council, and Administration which may result there from. Thank you for your assistance. Should you have any questions, please feel free to contact myself with the Department of Public Works at (985) 537-7603.

Sincerely,

Ronnie Robichaux
Director of Public Works

RR/wra

CC: Donna B. Toups
Charlotte Randolph
Crystal Chaisson
Councilman Joe Fertitta
Gary Washington
Ray Blanchard
Brook Beniot

Charlotte A. Randolph	Parish President
Jerry Jones	District 1
Michael Delatte	District 2
Louis Richard	District 3
Joe Fertitta	District 4

Matt Matherne	District 5
Lindel Toups	District 6
Phillip Gouaux	District 7
Rodney Doucet	District 8
Daniel Lorraine	District 9

Exhibit "G"

R.S. 38:219

Note 10

which plaintiffs sued. *Caillouet & Maginnis v. Coguenhem*, 1904, 111 La. 60, 35 So. 385.

11. Garbage and trash

A person who throws trash in drainage canals is subject to a penalty. *Op. Atty. Gen.*, Aug. 28, 1973.

12. Partles

Police jury had limited servitude to control and maintain canal as a drainage channel, since police jury qualified as levee and drainage district, the canal was a "public" drainage channel, the canal was selected by police jury and recommended and approved by Depart-

**PUBLIC CONTRACTS, WORKS, ETC.
Ch. 3**

ment of Public Works, canal was improved by police jury, and the cleaning and control of canal was an integral part of forced drainage project which was designed to improve the drainage channels in the immediate area; police jury was therefore empowered to take any appropriate measures solely for preservation of efficiency of the canal, including action to enjoin property owner from interfering with the efficiency of drainage of the canal. *Terrebonne Parish Police Jury v. Matherne*, App. 1981, 394 So.2d 1302, affirmed and amended 405 So.2d 314, certiorari denied 102 S.Ct. 2234, 456 U.S. 972, 72 L.Ed.2d 845.

**LEVEES AND
Ch. 3**

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Acts 1890, N cutting of leve

Source: Acts 1920; N Acts 1938, N

For an exp see Reporter's

Prior Laws: Acts 1880, f

§ 220. Interference with drainage of roads parallel or contiguous to public levees

No proprietor, owner, lessee, or possessor of lands abutting upon any public road parallel or contiguous to any public levee shall in any manner close or place any obstruction in the drains or ditches, whether on private property or on the public road or levee adjacent to the road which will in any manner interfere with the effective, thorough, and continuous drainage of the public road or levee.

Whoever violates this Section shall be fined or imprisoned, or both, at the discretion of the court.

Historical Note

Source: Acts 1902, No. 119, § 2. Acts 1902, No. 119, § 1, appears as R.S. 38:142.

Library References

Highways ⇨120(2).
WESTLAW Topic No. 200.
C.J.S. Highways §§ 187, 188.

Notes of Decisions

Ditches 1 and R.S. 38:142). *Reynaud v. Police Jury*,
Prescription 2 1915, 138 La. 66, 70 So. 39.

Ditches
The closure of ditches on the side of a public road by means of dams has been an offense against the state of Louisiana since the passage of Act No. 119 of 1902 (see now this section). The right to maintain dams across ditches on the sides of a public road cannot be acquired by prescription. *Reynaud v. Police Jury*, 1915, 138 La. 66, 70 So. 39.

§ 221. Rice-flumes, dahls, or pipes in public levees prohibited

No person shall place in, through, or under any public levee any rice-flume, dahl, pipe, or other conduit or, after due notification by the levee board or governing authority of the parish, shall fail to remove from the public levee any rice-flume, dahl, pipe or other conduit that may at such date exist.

Whoever violates this Section shall be fined not more than five hundred dollars or imprisoned for not more than sixty days or both.

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