

SEPTEMBER 27, 2005  
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, SEPTEMBER 27, 2005, AT 6:00 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 Matherne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 6:03 p.m.

Chairman Matherne announced that the invocation would be led by Mr. Michael Matherne. The Council then recited the Pledge of Allegiance led by Mr. Lindel Toups. Proceedings of the meeting were called to order with the following:

**PRESENT:** Mr. Lindel Toups  
Mr. Brent Callais  
Mr. Daniel Lorraine  
Mr. Tyrone Williams (*entered at 6:10 p.m.*)  
Mr. Michael Matherne - Chairman  
Mr. Mark Atzenhoffer - Vice Chairman  
Ms. Charlotte Randolph, Parish President

Mr. Phillip Gouaux  
Dr. Tommy Lasseigne  
Mr. Michael Delatte

**ABSENT:** None

**APPROVAL OF COUNCIL MINUTES**

The first item (1) on the agenda was a motion to accept the minutes of the September 13, 2005 Regular Session meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Dr. Tommy Lasseigne to accept the September 13, 2005 minutes. The minutes were **approved** by a vote of eight (8) yeas, zero (0) nays and one (1) absent, that being of Mr. Tyrone Williams.

Mr. Atzenhoffer then inquired as to the status of the reports and updates requested or stated at the September 13, 2005 meeting, as evidenced by the September 13, 2005 minutes. He first asked Mr. Larry J. Picciola, Larry J. Picciola, Inc, if there was an update on the requests for increases in costs and extensions of time on projects, as he had stated that he had hoped to have an update on the matter at the September 27, 2005 meeting. Mr. Picciola stated that the update was not ready for the September 27, 2005 meeting. Mr. Atzenhoffer then asked if Mr. Picciola had clarified the date of Project 6A as he had said in the September 13, 2005 minutes that he would have the same at the September 27, 2005 meeting. Mr. Picciola responded that the date was either September 16, 2005 or September 19, 2005, but that he could not recall which one. Mr. Atzenhoffer concluded by stating that he had received "flack" for not having recognized the efforts of parish employees for the work done

for hurricane relief. He stated that as evidenced on page 8 of the September 13, 2005 meeting minutes, he had indeed recognized the parish employees. He went on to say that he thought that an apology was in order.

### **PUBLIC WISHING TO ADDRESS THE COUNCIL**

The next item (2) on the agenda was the Public to address the Council.

Mr. Charlie Callais addressed that Council and began by discussing coastal erosion. He stated as was well known, that there had been a lot of problems with coastal erosion. Mr. Callais stated that he had a solution to the coastal erosion problem that would not only stop coastal erosion but would restore loss coastline and wetlands. He stated that if anyone was interested that they could contact him. Mr. Lorraine advised Mr. Callais that instead of waiting for someone to contact him, he should just present his plan to the Council. Mr. Callais stated that until the present time, no one had taken him seriously and further that he was in need of money and that he would sell his solution to the State. Mr. Lorraine informed Mr. Callais that sooner or later, he would have to reveal what his solution was. Mr. Callais stated that in coming to speak to the Council he thought that he “got the ball rolling” and that President Randolph would soon be contacting him regarding his solution. Mr. Gouaux inquired as to what the costs of the solution would be, to which Mr. Callais responded that it would not be much, and further that the State of Louisiana would be able to pay it.

Mr. Richard Arabie, Lafourche Parish Sewerage District No. 1 Board board member addressed the Council next. He began by stating that the sewerage district, to the best of his knowledge, was the oldest and possibly the largest in the Parish. Mr. Arabie explained that they had approximately 400 homes connected to the sewer system. He went on to state that problems had been incurred with sewerage backing up into resident’s homes when the electricity was out due to the recent hurricanes. He stated that for Hurricane Katrina most of the residents had evacuated and that the electricity had been out for approximately three (3) days to a week. He stated that the electricity in the area went out on Saturday, September 24, 2005, due to Hurricane Rita. He went on to report that power had been restored to the front part of the Country Club area but not to the rear part. Mr. Arabie explained that due to power outages residents in the rear of the Country Club had sewerage back up into their homes. He stated that his reason for addressing the Council was to request their assistance in applying for grants to purchase an emergency generator that would run the plant and the lift stations. Chairman Matherne stated that he thought Mr. Arabie’s point to be well taken and that he was sure that President Randolph would speak to a Department Head about the matter. President Randolph asked Mr. Arabie if he was aware of what the price would be for the generator being requested. Mr. Arabie stated that they were presently trying to get an estimate on the cost of the generator and the installation of same, but that there were four (4) other generators needed for the lift stations that would costs approximately \$1,000 each. Mr. Arabie also stated that he was apprised on September 27, 2005 that a pump had “blown” as a result of a storm.

### **PROCLAMATIONS**

The next item (3) on the agenda was Proclamations recognizing the following for their assistance during Hurricane Katrina:

- a) Lafourche Parish Fire Protection District No. 1
- b) Lafourche Parish Fire Protection District No. 3
- c) Bayou Blue Volunteer Fire Department Board
- d) St. John Volunteer Fire Department

- e) Lockport Volunteer Fire Department
- f) KLRZ Radio Station )
- g) South Lafourche Ambulance District

Chairman Matherne read the proclamation. He went on to state that he thought that everyone deserved a round of applause. Mr. Gouaux commented that he thought that everyone listed deserved the recognition given but that there were some volunteers and agencies in the Parish that were left out and that he was afraid that there would be hurt feelings because they were not recognized. Chairman Matherne stated that he thought that everyone realized that the list of volunteers and agencies that aided in the storm would finite. He stated that he thought this to be a good will effort and a good start.

### **PRESENTATIONS**

The next item (4) on the agenda was Ms. Martha Babin, Head Start Director, to present her quarterly report. Ms. Babin began by directing the Council to green folders she had handed out before the start of the meeting. She went on to give a brief explanation of the folders' contents. Ms. Babin stated that all staff had reported to work on August 1, 2005 for annual training and that Nicholls State University had allowed them to use both halls. She stated that teachers and staff had prepared their classrooms and had made their required home visits in anticipation of the opening of school on September 6, 2005. Ms. Babin said that "Let's Get Acquainted" days were scheduled for August 29, 2005, August 30, 2005 and August 31, 2005. She explained that those days were designated as days for parents to bring their children to school for a visit and then to return home. Ms. Babin said that the children were scheduled to begin school full time on September 6, 2005. She explained that due to Hurricane Katrina the "Let's Get Acquainted" days had been postponed until September 12 and September 13, 2005, and that the beginning of school had been postponed until September 14, 2005. Ms. Babin went on to say that at present they were funded for 347 children, 300 of the children being center-based and seven (7) of the children being home-based. She then explained that she had received Information Memorandums from the federal government which had been issued with regards to providing services to displaced Head Start children and families. Ms. Babin stated that due to Hurricane Rita schools had closed at 1:00 p.m. on September 22, 2005 and resumed on September 26, 2005. She then advised that as she had previously informed the Council, they had been given the opportunity to apply for a cost of living raise in the amount of \$24,215, which calculated to be a 1% raise to teachers and staff. She went on to say that the cost of living raises had been received by the teachers and staff in their last pay checks. Ms. Babin stated that they had been given an extension for submitting their 2006 Budget that was due October 1, 2005 and that they should have it prepared by November 1, 2005. Ms. Babin reminded the Council that they were under the direction of Mr. George Campbell of Region 6 located in Dallas, Texas and further informed the Council that Mr. Campbell had called a meeting of the grantees in Louisiana that were accommodating Head Start evacuees and their families. She stated that he discussed the five (5) criteria required for receiving a waiver of non-resident shares and further that he had encouraged them to use the waivers if needed. She reported that they would be using the criteria as outlined in order to aid the communities affected by the disaster. She stated that she hoped the waiver to be for the entire school year but that it may only be for a six (6) month period. Ms. Babin then stated that the 20% non-federal share totaled \$633,918. She reported that the 20% match had become a problem since the separation from Terrebonne Parish. Ms. Babin said that she was studying the problem and requested input from the

Council on how the problem could be solved in the future. She informed the Council that every time one of them visited a Head Start classroom, attended a Policy Council meeting or attended a quarterly committee meeting, their time was counted in helping them reach their non-federal share. She stated that they have to re-pay four (\$4.00) dollars for every one (\$1.00) dollar that they do not have in non-federal sharing which would come out of parish government funds. She then explained that at a previous Council meeting in the 2005 year she had given the Councilmen an opportunity to serve on the committee of their choice. She then inquired as to whether they wished to remain on the same committee or select another one for the following year. She stated that letters had been sent to the Councilmen and that she assumed that they had received them. Ms. Babin explained that the Council's input was really needed and that it would help them with their in-kind. She stated that the Council was the governing board of the grant and further that more participation from them was needed. She said that she understood that they were all busy but that a little of their time would be appreciated. Ms. Babin then stated that the 2005-2006 status report was included in the green folders and that it was a report that she had to submit to Dallas periodically. She went on to explain that they would not continue to receive funds if it was not made sure that they had funding enrollment. She said that they were called periodically in order to verify that the center's children were in attendance and that full enrollment was had. Ms. Babin next stated that the center was servicing two (2) children from Grand Isle, two (2) children from a shelter in Larose, eight (8) children from the shelter located at Nicholls State University, as well as three (3) additional children being housed at a hotel located in Thibodaux, Louisiana. Ms. Babin concluded by thanking President Randolph and her staff for supporting them because volunteers had worked over the weekend and on the holiday after the storm.

President Randolph stated that they wanted to thank Mrs. Babin's staff as well because they had done a wonderful job.

#### **ADMINISTRATIVE REPORT(S)**

Mr. Ray Cheramie, Department of Public Works Director, next voiced his "thank-yous" in response to efforts put forth in regards to recent storms. He began by stating that because of excessive amounts of continued problems due to the number of storms in the last three (3) months, he felt that it was proper to recognize those people who had contributed so much in not only preparing for the annual hurricane season but also for the many hours worked before, during and after the recent storms. He stated that not only had there been the challenge of having the number of sand bags up to a comfortable count, but that it included ensuring that as many levees as possible were heightened, widened and repaired, that pump stations were pumping at maximum capacity, that as many outfall canals and reservoirs as possible were cleaned and cleared, and that street, ditches and culverts were cleaned. He stated that during and after the storms they were not only faced with caring for residents of Lafourche Parish who were stranded, but also residents of other surrounding parishes. Mr. Cheramie said that he thought it to be the time to recognize the people who had done so much to help Lafourche Parish deal with difficult times. He recognized all of the different agencies that had assisted the residents of Lafourche Parish, pointing out in particular the Lafourche Parish Sheriff's Office, including the good job that had been done and continued to be done by the trustees. He went on to recognize the Louisiana State Police, in particular Trooper Kirk Pierce, the National Guard, and elected officials on the federal, state and local levels. Mr. Cheramie said that it saddened him to think of the areas south of the Golden Meadow flood gate, Pointe au Chene areas

and areas along Bayou Blue that they were unable to protect from flooding water, but stated that it was extremely rewarding to know that with the outstanding help of some local residents, a number of parish councilmen, employees of North American Shipyard, trustees from the sheriff's office and the outstanding efforts of the Department of Public Works employees that they were able to contain water for approximately four (4) to five (5) miles of levee system.. Mr. Cheramie said that he wanted to say thank you to everyone who had participated and sent a special thanks to all Lafourche Parish employees, especially the employees of the Department of Public Works. He reported that because of the efforts of everyone involved hundreds of homes had been saved from major systems which had the potential of flooding. He again thanked everyone throughout the Parish for an exceptional job. Mr. Cheramie stated to the Department of Public Works employees he "took his hat off" and that he was very proud of what they had accomplished after, during and in preparation for the emergencies. He concluded by stating that he thanked President Randolph for her leadership and for affording him the ability and freedom of direction in the past few weeks. He reported that they had distributed and stacked 92,000 sand bags, 2,977 yards of sand and placed 102 water tubes.

President Randolph stated that the past month had been a very difficult month for everyone in the Parish and further that it had been a very trying time with much frustration. She commented that she could list many things that had gone wrong but that she could also list many, many good things that had happened in the Parish. She stated that she hoped any questions that the Council had regarding actions taken during the storm would not in any way take away from the good works that many people had done. President Randolph stated that if the Council had questions they should ask them. She stated that the Parish should not let the matter disintegrate into something that it was not. President Randolph said that hurricane season was not over yet, and that there was a lot of work ahead of the Parish to repair and rebuild from the past storms. She reiterated that she hoped what happened next would be positive and any questions had, should be answered, but that it should not take away the good work that had been done in the Parish.

The next item (5) on the agenda was update regarding pictometry. Chairman Matherne stated the Ms. Katie Zeringue from the Lafourche Parish Communication District, along with Mr. Kevin Bellenger of South Central Planning and Mr. Richard Plauche were present. Ms. Zeringue began by stating that Mr. Gary Mirabeau with Pictometry had been displaced to Lafayette by Hurricane Katrina, which was then effected by Hurricane Rita. She went on to explain that he was not present at the meeting as requested because there was a curfew in the Lafayette area and that he was concerned that if he attended the meeting he would not be able to return home. She stated that he was available by phone if there were any questions. Ms. Zeringue stated that the program had been delivered to the Parish and that training was had. She stated that Pictometry, at no additional cost, had been and was currently flying over areas devastated by Hurricane Katrina. She stated that she had requested that fly overs be done over Golden Meadow, Port Fourchon to the parish line of Jefferson Parish and the Pointe au Chene areas. She stated those images would be delivered as soon as they were available.

Mr. Kevin Bellanger, CEO of South Central Planning and Development Commission, stated that he would be glad to answer any questions the Council may have had. Dr. Lasseigne questioned the availability of Pictometry to the Department of Public Works and the Parish Council. Mr. Bellanger stated that Pictometry was very much available. Dr. Lasseigne asked if he would be able to access Pictometry from his laptop at home, to which Mr. Bellanger responded yes, if the proper hardware was put in place. Mr. Atzenhoffer stated that when the Council was sold the Pictometry system that they were told that they could access it with no problems and that there had been no mention of purchasing new hardware, licenses, etc. He then commented on the approximate costs

of accessibility and stated that this was cost that they were not advised of. Mr. Atzenhoffer said that they were told that they would be able to access the program with no problems. Mr. Bellanger said that there had been no intention of misleading nor defraying of responsibility. He went on to say that the Parish Administration had the license for the software and that they had been fully apprised of the ability to give others access to the software and images. Mr. Bellanger stated that there were no other licenses to sign as long as the Administration had given permission. He stated that the present time, with the recent hurricane, was a perfect use of the software and images. Mr. Atzenhoffer asked the number of people who could currently use Pictometry.

Mr. Richard Plauche stated that it was available on every parish owned computer and further that if there was permission had to access the Parish server that no additional hardware would be needed. Mr. Atzenhoffer stated that he did not have a parish owned computer but that he did perform parish work on his personal computer. Ms. Zeringue clarified that Mr. Atzenhoffer could access the software if he had remote access to the Parish server located in Raceland or Thibodaux. Mr. Atzenhoffer then said that they had previously inquired about this matter and were told that additional licenses and hardware would be needed, which he stated would cost money that the Council had not been apprised of up front. Ms. Zeringue stated that she was of the understanding that everyone was told what it would take to run the system, along with the type of computer systems and database needed. Chairman Matherne suggested to President Randolph that the Parish's Information Technology person could attend the next meeting of October 11, 2005 in order to give a report on how one could connect to the sever. Mr. Curole stated that Ms. Gretchen Folse of the Information Technology Department was currently looking into the matter and the costs of same, and in particular making it accessible to the Councilmen's laptops. Mr. Atzenhoffer stated that his laptop was his personal laptop and not a parish owned laptop. Mr. Curole stated that they could look into having Pictometry put on Mr. Atzenhoffer's personal laptop if he so wanted. Mr. Atzenhoffer pointed out that would be additional cost that should have been told to Council in the beginning. He stated that if the Council had known that there would have been additional costs, a different decision may have been made.

Mr. Plauche then gave a brief visual presentation of the abilities of the Pictometry program. He stated anyone who was interested in receiving a more comprehensive presentation of Pictometry could visit his office.

Mr. Curole stated that at the original meeting at South Central Planning, accessibility was discussed. He went on to say that he recalled that it was said that Pictometry was not something that wanted to be internet-accessed and further that some portion of the program was not proprietary. He mentioned that there had been talk at an earlier Council meeting regarding having access at the libraries. Ms. Zeringue stated that she recalled that many of the Councilmen were concerned about Pictometry being public and that it was the Councilmen who had agreed that it would not be made available to the public. She went on to state that if the Council wanted it put in the libraries, on the Parish website or any where else, it could be done. Dr. Lasseigne stated that if the public paid for the program, that the public should have access to it.

The next item (6) on the agenda was a representative of the Administration to present the projects that have come forth due to Hurricane Katrina. Mr. Gouaux inquired as to what projects were anticipated to be done with regards to the federal monies being received because the area was considered a disaster area. President Randolph stated that the first thing that was done was to address regional issues, projects that would provide the most coverage to widest area possible. She mentioned a morganza to the Gulf of Mexico and Donaldsonville to the Gulf of Mexico which would provide protection to at least six (6) or seven (7) parishes. President Randolph also mentioned the replacement of Louisiana Highway 1 as a federal project. She stated that the federal government,

as well as the nation, had finally realized the importance of Port Fourchon to the oil and gas industry. She stated that many of the projects being looked at for the Parish were the projects that had been spoken about for the last two (2) years. She stated that included in those projects were the Company Canal project, Choupic Levee and Cut Off Elementary projects. President Randolph stated that they had also spoken about raising the height of the South Lafourche Levee, which she added had performed remarkably well during and after Hurricane Rita. She added in that the South Lafourche Levee had been used an example on CNN. President Randolph stated that the Thibodaux Raceland Savoie project was a large project that the federal government was interested in because it covered such a wide area of the Parish. She stated that the Thibodaux Raceland Savoie project had the potential of being built much sooner than a morganza to the Gulf of Mexico or Donaldsonville to the Gulf of Mexico project. President Randolph stated that they were looking at short term projects in the Parish, such as new pump stations in certain areas and widening of levees in certain areas. She stated that they had included in the request projects that had been spoken about over the past two (2) years and from the past because the amount of funding was not known. President Randolph stated that if the federal government recognized that some of the projects being suggested would protect the areas in the near future, prior to the construction of the major projects, they would fund those projects. She stated the federal government was also looking at coastal erosion but in a slightly different way, in that they were looking at protecting the barrier islands first before restoring the coast in any way. President Randolph stated that the federal government had finally seen what had been being said for many years and also that Lafourche Parish was a protecting parish to many other parishes. She stated that having a solid coast in the Parish would in turn help other Parishes. She said that they had sent in several different lists of projects from other agencies throughout the Parish and had included everything. She went on to explain that the projects would probably come down to a priority system. President Randolph said that when it reached that level then the projects could be discussed again, but at the present time they had been encouraged to include every thing that could be thought of, including generators for shelter. She stated that they had applied for many different projects. Mr. Gouaux asked if the Administration could get a copy of the lists to him in order that he may look at what was being applied for in his District so that he may be able to add to the list what was needed. President Randolph stated that the lists had been sent in at different times, but that they could be compiled together and sent out.

### **ENGINEERING 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.

Mr. Larry J. Picciola, Larry J. Picciola, Inc., next addressed the Council by stating that Project 3A (Bayou Blue) was complete and that he was informed on September 27, 2005 that the punch list items were completed. He stated that by the next meeting of October 11, 2005 they should have a Substantial Competition certificate for the Council's approval. Mr. Picciola then spoke about Project 3D (Bayou Blue) and said that Picciola & Associates, Inc. had informed him that they had began work on this project. He next reported on Project 3E (Mathews to Valentine) stating that advertisement for bids would begin on September 30, 2005 and that bids would be taken October 30, 2005. Mr. Picciola said that with regards to Project 5A (Choupic/Kramer), patching and drainage work had been completed and the paving had begun on September 27, 2005. He then said that they have reviewed Project 5C (Country Club) with the engineer's, Mr. David Heck's, staff the morning of September 27, 2005 and that they were currently awaiting for the updated plans. He said that the changes had been very minor. Mr. Picciola said that the surveying was 100% complete for Project 5D (West Thibodaux), as well as the preliminary design being 60% and final design being 20%

complete. He went onto to say that Mr. Heck's office did not have a completion date for this project at this time. He concluded his report by informing the Council that with regards to Project 6A (Raceland) the contractor was working on drainage.

Mr. John Plaisance, J. Wayne Plaisance, Inc., then spoke about the Oakridge Park Levee Road overlay project in Golden Meadow. He went on to report that they had accomplished having all the paperwork done and that they needed to meet with the Administration in order to pick a start date. Mr. Lorraine asked when this project would start. President Randolph stated that she thought it had been signed. Mr. Lorraine voiced his concerns that this project had be lingering for some time and that it was time that the project was done.

Mr. Edmond Cheramie of Cheramie-Whitney Architects gave an updated report on the Whitney Building renovations. He stated that there had been design meetings with the District Attorney and his staff, and that the preliminary design was somewhat established. Mr. Cheramie stated that Whitney Bank had been scheduled to bid for their new branch bank, but due to Hurricane Katrina the bid opening had been postponed. He reported that just like many other businesses, Whitney Bank had incurred a strong hit to some of its facilities in New Orleans and along the Gulf Coast. Mr. Cheramie said that in talking to Whitney Bank, that they had advised that they had scheduled to bid the project for sometime at the end of November, 2005. He said that he expected Whitney Bank's construction to begin in December 2005 or January 2006 and possibly to be complete at the earliest by June 2006, but no later than August 2006. Mr. Cheramie said that he expected to have designs completed to submit to the fire marshal by March 15, 2006. He went on to explain that it would do no good to try to get the designs completed earlier than that because there were time limitations on how long bids could be held. Mr. Cheramie said that plans for bidders should be available in early April 2006 and that bids should be received in early May, 2006. He said that would give time for the bids to be reviewed, for the contract to be awarded at the June 2006 Lafourche Parish Council meeting and to have the contractor ready to start the project sometime in July, after Whitney Bank vacated. He reported that the current lease had for the District Attorneys' office would end February 1, 2007. He stated that even if the Whitney Bank building was still under construction in October 2006, there would be more than enough time to complete the project to a point where the District Attorney's office could move in. He concluded by stating that the design was almost complete and that they were waiting on the appropriate time to finish the documents and put them out on the market for bids. Chairman Matherne asked Mr. Cheramie if the Whitney Bank project was the only project he handled for the Parish, to which he responded yes.

Chairman Matherne asked for a motion to deviate from the regular agenda in order to go to item (J) Public Hearing advertised at 7:00 p.m. A **motion** was made by Mr. Mark Atzenhoffer to deviate from the regular agenda in order to go to item (J) Public Hearing advertised at 7:00 p.m., seconded by Dr. Tommy Lasseigne and **carried** by a vote of nine (9) yeas and zero (0) nays.

Next, a **motion** was offered by Mr. Mark Atzenhoffer , seconded by Dr. Tommy Lasseigne to **open** a second public hearing as the Board of Review, and **carried** by a vote of nine (9) yeas, and zero (0) nays.

## **SECOND PUBLIC HEARING AS THE BOARD OF REVIEW**

The next item (15) on the agenda was serving as the Board of Review, the Council will hear public comments and protests values of property for assessment purposes fixed by the Lafourche Parish Assessor's Office. Chairman Matherne asked three times if anyone wished to protest values of property for assessment purposes fixed by the Lafourche Parish Assessor's Office. Hearing none,

Chairman Matherne then had Mr. Michael Martin, Lafourche Parish Assessor, address the Council. He stated that he was happy to say that there had been no protests for the year and asked that the Board of Review be closed for another year. Mr. Mark Atzenhoffer made a **motion** to close the Board of Review for another year, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays.

Chairman Matherne asked if it was unusual to have no protests and whether large companies normally protested year after year. Mr. Martin explained that in other parishes, yes large companies protested year after year, but that in Lafourche Parish that was not the case. He said that when there were problems the tax payer would come in and they would address whatever difficulty or problem they had. He stated that some parishes only had a certain amount of time for public inspection and that the residents could not view the records at any other time of the year. He went on to say that in Lafourche Parish there was an open-door-policy for anyone who wanted to come in speak about their tax assessment. Dr. Lasseigne then questioned the outcome of a 2004 protest from a company, to which Mr. Martin advised that the company had filed protest throughout a number of parishes and further that to his knowledge, the company had not followed proper procedures nor followed through with the protest.

Next, a motion was offered by Mr. Mark Atzenhoffer , seconded by Mr. Phillip Gouaux, to **close** a second public hearing as the Board of Review, and **carried** by a vote of nine (9) yeas, and zero (0) nays.

A **motion** was made by Mr. Mark Atzenhoffer to return to the regular agenda, seconded by Dr. Tommy Lasseigne and **carried** by a vote of nine (9) yeas and zero (0) nays.

Chairman Matherne continued with item (F) on the agenda, Engineering and Architects Reports. Mr. Joseph C. Picciola, II, Picciola & Associates, Inc. stated that he had been asked by the Administration to give a visual presentation on the Cut Off Elementary Area Hydraulic Study. He stated that Picciola and Associates, Inc. had been contracted sometime in July 2005 or August 2005 to perform the study. Mr. Picciola explained that the area being discussed was behind the Cut Off Elementary school located in the Cut Off area. He reported that the area had been having drainage problems for as long as he could remember. He stated that the area encompassed from Louisiana Highway 1 to Louisiana Highway 3235 between West 54<sup>th</sup> Street and West 57<sup>th</sup> Street, which he stated was approximately 117 acres. He went on to say that the area produced approximately 63,000 gallons of run off per minute during a 25 year storm event, which would be approximately three (3") inches of rain per hour. Mr. Picciola said that was the normal standard that they used for FEMA projects and that was what was required. He then directed the Council to the second satellite image contained in the report which he handed out earlier and stated that there were a number of items that constituted drainage in the area. He said that basically three (3) outfall canals that drained behind the schools were restricted and were only capable of draining approximately 29,000gallons per minute, which he stated was only half of what was needed to drain the area properly. Mr. Picciola said that they had also looked at the culverts that crossed under Louisiana Highway 3235. He reported that the culverts were more than adequate to drain the entire area and further that the culverts were capable of handling approximately 300,000 gallons per minute. Mr. Picciola said that if the water was brought to Louisiana Highway 3235, that the water would go out into the 40 Arpent Canal. He also stated that the ramps along Louisiana Highway 3235 had three (3) 18 inch culverts, one of which could handle only 4,000 gallons per minute, basically restricted flow. He next reported that a final recommendation on the project was to increase outfall capacity to handle runoff. Mr. Picciola said that they had been speaking to the landowner about the matter and that an increase in

outfall capacity would have to be in the form of possibly one (1) or two (2) large outfall canals. He said that they had applied for grants to build a concrete ditch and that Statewide Flood Control had requested more information on the concrete ditch project. Mr. Picciola stated that he thought it could be done with one (1) concrete ditch but that if the normal fashion of digging a ditch was done that the same amount of flow would not be had. He said there were also several culverts that he would recommend removing and replacing depending on the location of the outfall canals. Mr. Callais then inquired as to whether the 18 inch culverts under Louisiana Highway 3235 located on a State right-of-way was required by the State to be larger than 18 inches. Mr. Picciola said that those culverts had been put by the State and further that the State did not require anything larger than an 18 inch culvert. He went on to say that the State had not looked into the matter close enough to discover that they were actually impeding the drainage to the box culverts installed under driveways. Mr. Callais then asked about property owned by the Crosbys and recently installed 18 inch culverts for crossing of cattle. Mr. Picciola said that they would look into the matter. Mr. Callais said that he wanted to add that Picciola & Associates, Inc. had performed the study in cooperation with the Parish and Drainage District No. 1, who, he stated, would be splitting the costs of the study. Mr. Atzenhoffer inquired as to the cost of the project, to which Mr. Picciola responded that he had not put a cost estimate together because it depended on what kind of right-of-ways would be obtained from the landowners. He said that Mr. Callais and Mr. Ray Cheramie had been negotiating with the landowners to obtain right-of-ways for the outfall canals. Mr. Picciola said that he could do a cost estimate after the right-of-ways were known. Mr. Picciola said that basically the intentions of the study was to determine the deficiencies in the system. Mr. Toups asked the number of 18 inch culverts that would have to be replaced under driveways on Louisiana Highway 3235. Mr. Picciola responded that three (3) culverts would have to be replaced.

Ms. Heather Klingman of Duplantis Design Group next gave an update on the Marydale Subdivision Waterline Improvement project. She stated that they had finally received information from the fire department. She said that once the information received was reviewed, it was realized that proper procedures had not been followed in obtaining the information. Ms. Klingman said that what would be done would be to have a flow consultant come in and obtain the needed information using the correct procedures, and obtain readings for the proposed alternate location and other locations in the area in order to determine where the supply should come from. Ms. Klingman said that they should have that information within one (1) to two (2) weeks. She then reported on the Tom Foret Outfall Canal, saying that they had all the information they needed and that they needed to meet with the Administration to work out a few issues and questions regarding the height of the levee.

Mr. Ray Cheramie, Department of Public Works Director, reported that they were dealing with the Crosbys regarding the Cut Off Elementary Hydraulic project and stated that they were willing to work with the Parish. He went on to say that because of a school being located in the front and regular maintenance on ditches, he would suggest seriously considering placing a cement ditch. Mr. Cheramie said that a cement ditch would eliminate the maintenance that would cause trafficking in the Crosby's yard.

Mr. Toups asked why engineer Mr. David Heck never attended any of the meetings to give a report. President Randolph stated the Picciola & Associates, Inc. had reported on behalf of those projects. She went onto say that Mr. Larry J. Picciola had given a report on behalf of Mr. Joseph C. Picciola, II for Projects 3, 5 and 6.

Mr. Atzenhoffer requested that there be an update on the Animal Shelter project at the next meeting of October 11, 2005.

## LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. The Lafourche Parish Legal Advisor was not present.

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

### PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (7) on the agenda was an ordinance establishing a “No Parking-Fire Lane” on both sides of Lake Long Drive for its entire length; authorizing the installation of signs; and providing for penalties. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Toups inquired as to whether Mr. Atzenhoffer had found out whether it was legal to have “No Parking-Fire Lane” on both sides of a roadway. Mr. Atzenhoffer responded that there was nothing found that said it was illegal to do so, and further according to the Street Signs book approximately 40% of the streets by ordinance, such as East 6<sup>th</sup> Street, East 7<sup>th</sup> Street, were “No-Parking-Fire Lanes”. Mr. Toups said that he believed that the last Administration had done something similar to this resolution and further that he would like this matter checked into. Mr. Atzenhoffer stated that they had spoken with the District Attorneys’ office and had not received a definitive answer. Mr. Atzenhoffer said that he could check into the matter for a third time. A brief discussion ensued regarding the introduction of the ordinance and the steps taken to find out the legality of what was being requested. Mr. Atzenhoffer stated that if the ordinance had to be amended he would have no problem doing so. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

#### **ORD. NO. 3676 NO PARKING-FIRE LANE”, LAKE LONG DRIVE**

The next item (8) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision Regulations on lot extensions of Blocks 2, 4, 6 and 8 of the Pere Subdivision, Ward 10, District 8, as recommended by the Lafourche Parish Planning Commission at their August 25, 2005 meeting. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. Mr. Toups asked what was the reason a variance was being requested. Mr. Callais explained that a neighbor had developed a subdivision approximately 20 years ago for which he had never went before the Planning Commission and thus, the subdivision was done incorrectly and illegally. He went on to explain that in order for the Pere Subdivision to match with its side streets, it would have had to have been out of compliance, thus the reason for the recommendation from the Planning Commission. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

#### **ORD. NO. 3677 PROVIDE VARIANCE, LOT EXTENSIONS OF BLOCKS 2, 4, 6 AND 8 OF THE PERE SUBDIVISION**

The next item (9) on the agenda was an ordinance accepting into the parish system the subdivision known as the “Blue ridge Pointe Subdivision, Phase A,” Ward 11, District 4. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of nine (9) yeas and zero (0) nays.

#### **ORD. NO. 3678 ACCEPT INTO PARISH SYSTEM, THE “BLUE RIDGE POINTE SUBDIVISION, PHASE A**

The next item (10) on the agenda was an ordinance accepting into the parish system the subdivision known as “The Redivision of Lot 2, Block “C” of John C. Daigle Property in Rear of Lydia Park,” Ward 11, District 4. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of nine (9) yeas and zero (0) nays.

**ORD. NO. 3679 ACCEPT INTO PARISH SYSTEM, “THE REDIVISION OF LOT 2, BLOCK “C” OF JOHN C. DAIGLE PROPERTY**

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

**PROPOSED ORDINANCES**

The next item (11) on the agenda was a proposed ordinance providing a variance from the Lafourche Parish Subdivision regulations for Tract A-B-C-D-A, a portion of the Bayou Oaks Company, property located in Ward 11, District 4 as was recommended by the Lafourche Parish Planning Commission at their August 25, 2005 meeting. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE PROVIDE VARIANCE, TRACT A-B-C-D-A, BAYOU OAKS COMPANY**

The next item (12) on the agenda was a proposed ordinance amending Ordinance No. 3660 to reduce the speed limit from fifteen miles per hour to ten miles per hour on East 146<sup>th</sup> Street, Ward 10, District 9; and providing for the installation of the necessary signs and penalties for violators thereof. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE AMEND ORDINANCE NO. 3660, REDUCE SPEED LIMIT FROM 15 MPH TO 10MPH ON EAST 146<sup>TH</sup> ST.**

The next item (13) on the agenda was a proposed ordinance establishing a “No Parking-Fire Lane” on the right side of West 14<sup>th</sup> Street, Ward 10, District 8; and providing for the installation of necessary signs and penalties for violators thereof. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE “NO PARKING-FIRE LANE”, RIGHT SIDE OF WEST 14<sup>TH</sup> STREET.**

The next item (14) on the agenda was a proposed ordinance amending Section 4:50 of Sub-Chapter “B” of Chapter 4 of the Code of Ordinances to include that fowl is prohibited to run at large. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE AMEND CODE OF ORDINANCES, INCLUDE FOWL PROHIBITED TO RUN AT LARGE**

The next item (16) on the agenda was a **motion** to approve or deny any protests and submit results to the Louisiana Tax Commission. Chairman Matherne stated that there had been no protest to item (15).

**RESOLUTIONS**

The next item (17) on the agenda was a resolution approving a contract addendum for Mosquito Control, LLC; and authorizing the Parish President to sign, execute and administer said

agreement. A **motion** was made by Mr. Brent Callais and seconded by Dr. Tommy Lasseigne. Mr. Atzenhoffer stated that on May 11, 2004 the Council had first looked at the contract for mosquito control and it was told to the Council, as evidenced in the minutes of that meeting, that the spraying would be ground and aerial. He then said that on June 8, 2004, Mrs. Joy Secura had opposed aerial spraying. Mr. Atzenhoffer said that the contract had been approved on June 28, 2004 and therefore this matter should have already been in the contract. He inquired as to what was the difference between this resolution and what was contained in the contract. Mr. Curole stated to his understanding that the contract did not afford for aerial spraying. He stated that he did not have the contract with him, but that he had the proposal for the additional aerial spraying, which, he reported, they were trying to get paid by FEMA. Mr. Atzenhoffer said that if he recalled correctly, Mr. Wayne Machado of Mosquito Control, Inc. had stated that aerial spraying was included. He went on to say that he further recalled the Council discussing the matter at a minimum of two (2) meetings. Mr. Atzenhoffer stated that they were speaking about the spending of an additional \$40,000. President Randolph stated that this request was being made as a result of emergency requests by the State due to the increase in the mosquito population. She went on to say that numerous parishes were looking toward the mosquito control businesses to increase their spraying due to the increase in the amount of water that had come into the parishes due to the recent hurricanes. Mr. Atzenhoffer noted that Bayou Blue was not included in the areas to be sprayed. Mr. Gouaux stated that when Hurricane Katrina had come through the area it had been a relatively dry storm, whereas Hurricane Rita had included rain and a lot of water. He said that he could see where mosquito spraying was needed because of Hurricane Rita and where that would be out of the realm of the contract, but said that he distinctly remembered talking to Mr. Machado regarding aerial spraying. Mr. Gouaux said that he recalled Mr. Machado saying that if aerial spraying was required it would be done. He said that he was under the assumption that aerial spraying was part of the contract. Mr. Gouaux requested that the Council Clerk locate the minutes and recordings for the meeting where the contract had been discussed. Mr. Atzenhoffer advised Mr. Gouaux that had already been done and offered him his copy of the minutes to review if he so wished. Dr. Lasseigne questioned whether it was guaranteed that FEMA would reimburse the costs of the additional spraying, to which a response of no was given. Mr. Curole stated that the reason the contract was in the name of the Parish was because the idea of FEMA reimbursement was being worked on. President Randolph stated that this resolution was in response to the many complaints received regarding the increased amount of mosquitos in the area. Mr. Toups stated that Mr. Machado should be held to his contract. He went on to say that he had not seen spraying for the last few weeks. Mr. Toups said that just because it was possible that FEMA would reimburse for the spraying was not a reason to vote for it. He said that he recalled Mr. Machado saying that when there was a larger population of mosquitos he would spray more. Mr. Atzenhoffer reiterated that all of the Bayou Blue area was excluded in the spraying area and further that the price would have to go up if it was included. Mr. Gouaux stated that he would like to amend the resolution to add Bayou Blue and Larose to the areas to be sprayed aerially, to which he received a response that a contract could not be amended. The motion **failed** by a vote of three (3) yeas, those being of Mr. Michael Delatte, Mr. Brent Callais, and Mr. Michael Matherne, and six (6) nays, Mr. Mark Atzenhoffer, Mr. Tyrone Williams, Mr. Lindel Toups, Mr. Phillip Gouaux, Dr. Tommy Lasseigne, and Mr. Daniel Lorraine.

#### **RESOLUTION FAILED**

The next item (18) on the agenda was a resolution certifying to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2005. A **motion** was made by Mr.

Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Callais explained that this same resolution was done every year regarding all the parish bridges being in compliance with requirements. The **motion carried** by a vote of nine (9) yeas and zero (0) nays.

**RES NO. 05- 230 LA DOTD CONTINUE TO COMPLY WITH ALL FHWA/DOTD REQUIREMENTS**

The next item (19) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney regarding issues surrounding over-time pay for parish employees. A **motion** was made by Dr. Tommy Lasseigne, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of nine (9) yeas and zero (0) nays.

**RES NO. 05-231 REQUEST OPINION FROM DISTRICT ATTORNEY, OVER-TIME PAY FOR PARISH EMPLOYEES**

The next item (20) on the agenda was a resolution requesting a list of all Lafourche Parish residents who received assistance from FEMA due to Hurricane Katrina and the value of the assistance. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Michael Matherne. Mr. Gouaux stated that the reason he had put this matter on the agenda was because there had been some abuse to the system. He said that he believed that the guidelines of FEMA were being followed, but that a simple call to the Red Cross with names and social security numbers would get a person \$300.00. Mr. Gouaux said that he knew that such a list would not be given, but that he was appalled at some of the people who had received funds. He said that the funds had helped out the Parish though, due to extra money floating around the Parish. Mr. Gouaux stated that it had upset him to see such abuse. He stated that once again the bullet had been missed, but reminded everyone that there was still two (2) months of hurricane season remaining. He stated that he hoped that the people who had abused the system realized that they would have to answer for what was done. Mr. Callais stated that he agreed with Mr. Gouaux in that there had been abuse to the system, but questioned what would be done with a list once it was received. He stated that they could not make the residents give the money back nor prosecute them. Mr. Atzenhoffer stated that he understood that there had been some abuse but that he could not be party to obtaining a list of people who truly needed the help. He stated that there was waste all over the government. Mr. Atzenhoffer stated that he did not think this was something that the Council could do. He stated that requesting a list of residents whose homes had been damaged and had received assistance in order to create a database would be one thing, but to physically request someone's name and the amount of assistance they had received was another. Mr. Atzenhoffer said that he did not see where this would benefit anyone. He too asked what would be done with the information after it was received. Mr. Toups stated that the Council should let FEMA worry about it and then recalled a previous investigation done by FEMA for a previous flood. Mr. Williams commented that he would vote against this matter and gave his reasons for saying the same. Mr. Lorraine stated that no matter what was done there would be abuse. He went on to say that the Council should not get involved into the choices of the people of the Parish. Mr. Lorraine said that this matter was between the people and FEMA and that the Council should let FEMA worry about it. He went on to say that some people abused the system and some people did not, and also that some who needed the help had received it and some of the people who needed the help had not received it. He reiterated that this matter was between the people and the organization they had received assistance from. Mr. Lorraine asked that the Council stay out of this and the everyone vote this resolution down. Mr. Gouaux then stated that he thought that he had accomplished what it was he had hoped to accomplish. He informed the Council that he had written a letter to FEMA requesting that they change their guidelines for assistance. Mr. Phillip Gouaux **removed** his motion. President Randolph stated that she was just glad that the people had received assistance and further that it had taken long enough to get the assistance. Mr. Michael Matherne

**removed** his second. The resolution died from a lack of a motion.

## **RESOLUTION DIED FROM A LACK OF A MOTION**

### **DISCUSSIONS**

The next item (21) on the agenda was a discussion concerning work orders. Mr. Toups began by stating that he had been a Councilman for ten (10) years and during that time he had been calling in work orders either to the barn or to the Council Clerk. He reported that he had recently tried to call in a work and was advised that phone calls would no longer be taken and that a written work order was needed. Mr. Toups explained that his normal process was while he was riding around the Parish and spotted a problem he would call it in. He stated that he saw no problems with that process. Mr. Toups stated that now what was being requested was that a written request be sent to Department of Public Works. Mr. Toups stated that he wished the Administration would reconsider this matter. He said that he hoped the Administration would retract the letter that was sent to the Councilmen regarding this matter, which he added, he had never received. Mr. Toups stated that in his ten (10) years as a Councilman he had never written a work order and that he did not believe he would start now.

Mr. Cheramie requested a copy of the letter that Mr. Toups spoke about as President Randolph stated that she was not aware of whom had sent the letter or where it had come from. Mr. Delatte stated that he had received a letter before the storm but had lost it and was never able to get a copy from one of the other councilmen because no one else had received one.

Mr. Toups asked Mr. Cheramie if the Councilmen would still be able to call in their work orders. Mr. Cheramie responded by stating that it was suggested that if the work orders were sent by e-mail or letter that there would be written proof of what was requested in case problems arose. He stated that this would be a better way of keeping track of what was being requested. Mr. Toups recommended that when they call in the work order that the person taking the phone call could send a copy of the request to Department of Public Works and to the councilman requesting it. He suggested that the Council Clerk could also do this.

President Randolph suggested that maybe the work orders could be called in but that they would have to be signed by the Councilman calling it in. Mr. Toups asked if this was being done because problems were being had. President Randolph stated that this was being done so that the work orders were being done they way they had been requested. Dr. Lasseigne stated that he usually had people call the Raceland office or the appropriate field maintenance offices with their work order request. He went on to say that he usually then called the Raceland office or the barn to advise them that someone would be calling. Dr. Lasseigne said that he had never had a problem. Mr. Lorraine explained that he writes out his work orders and sends them to the Administration with copies going to people who needed the work done. He added that he further kept two (2) books of records of the work orders sent. Mr. Gouaux stated that there was a work order form on the laptops that was not difficult to use.

The next item (22) on the agenda was a discussion concerning the cleaning up of the Company Canal, specifically the back of Lockport and the boat located next to the Company Canal bridge. Mr. Gouaux stated the in the area being spoken of, after Hurricane Katrina, only a few boat sheds stood standing and that the residents of Lockport had really been pounded by flying tin and debris from old boat sheds. He said that in the past it had been discussed to have them torn down. Mr. Gouaux said that at present the boat sheds were in deplorable shape and that if another storm was had that the area would be really bad. He then spoke of a boat of which the wooden hull was totally rotten and that trees were growing out of. Mr. Gouaux stated that he was anticipating having it fall either across the road or when someone was accessing the boat launch. He stated that he hoped

some of the money that was being collected from FEMA could be used to remove the boat and further that the Council could partner with the Town of Lockport to clean up the rear area of Lockport, which is Parish property. Chairman Matherne inquired as to whether the derelict structure ordinance covered water craft, to which he was informed no. Mr. Lorraine stated that if Mr. Gouaux was making a motion regarding this matter that he wanted to amend it to add that all sunken boats in Bayou Lafourche and the Intracoastal Canal waterways would also be removed. He then began speaking about a rededication of a sales tax wherein \$200,000 was to be used for derelict structures and other nuisances. He asked whether any of the \$200,000 had been spent on the maintenance of grass or derelict buildings? Mr. Lorraine said that not a nickel had been spent because they were still awaiting an opinion regarding the intent of the rededication. He said that on May 26, 2005 a resolution to have the District Attorney's opinion on the matter had been passed and further that he had amended the resolution to include the bonding attorney's opinion. Mr. Lorraine reported that an opinion from the bonding attorney had been received but that an opinion from the District Attorney had never been received. He added that he was advised that the District Attorney had turned the matter over to the Attorney General for his opinion. Mr. Lorraine stated that if it was remembered correctly, the tax was rededicated to take up to 40% for derelict structures. He went on to say that did not mean that 40% had to be taken. He then read the bonding attorney's opinion stating that the November 2, 2004 election held in Special Service District No. 1 had not rededicated the proceeds and taxes collected in the Road Lighting in District No. 1 from its 2004 and prior tax levies therefore there was no authority to use such tax proceeds to abate public nuisances. He went on to read that proceeds derived from the 2005 tax levy in the said District would be the first revenues from the 1.8 mils tax levied that could be used for both lighting purposes and abatement of public nuisance in the rural areas of the Parish. Mr. Lorraine stated that would not start until January 2006. He explained that the \$1.9 million dollars of surplus could not be used for derelict structures because it was collected for street lights. Mr. Lorraine stated that the reason it was being collected had changed, but that did not take effect until 2005 to be used in 2006. Mr. Atzenhoffer questioned as to what any of that had to do with the Company Canal that was being discussed. Mr. Lorraine stated because the money from that fund was wanted to be used for abatement of nuisances. President Randolph stated that there was already money had for nuisance abatement and the intent of the rededication was to step up those efforts. She stated that they still had not heard from the Attorney General on the matter. She then stated that there had been money for years for nuisance abatement, which was generally for grass cutting and the like, but not necessarily for the tearing down of buildings. President Randolph stated that none of the money being spoken about by Mr. Lorraine had been spent because they were still awaiting an opinion on the matter. Chairman Matherne added in that it did not cover water craft anyway, to which he was advised that it did and should. Mr. Curole stated that a portion of one salary was coming from the funds being spoken of. He said that if an adverse opinion comes back, that money would be replaced or put back into the fund. He stated that he disagreed with Mr. Lorraine in that the 2005 Budget account revenues would be collected at the end of the 2005 year, as that was the bookkeeping system of the Parish. He said he understood his point, but that he did not agree with it. Mr. Curole said that with regards to the derelict boat, there was a vessel portion in the nuisance ordinance that covered vessels. He stated that he was not sure but that he thought that the difference between Company Canal and Bayou Lafourche, was that Company Canal was parish owned, whereas Bayou Lafourche was a state waterway. Dr. Lasseigne said that Mr. Curole had stated that a portion of a salary was being paid out of the fund and he then inquired as to whether someone had been hired for nuisance abatement. Mr. Curole stated that this was the same person who had been handling tall grass nuisance for years but that prior her salary was coming from the Solid Waste fund. Mr. Phillip Gouaux made a **motion**

requesting that the Administration look into cleaning of the Company Canal, specifically the boat houses located in the back, a portion of Lockport and the boat located next to the boat launch, seconded by Mr. Lindel Toups. Mr. Daniel Lorraine offered an **amendment** to include all navigable waterways, seconded by Mr. Brent Callais, and *carried* by a vote of six (6) yeas and three (3) nays, those being of Mr. Phillip Gouaux, Dr. Tommy Lasseigne and Mr. Mark Atzenhoffer. The **motion** as amended *carried* by a vote of six (6) yeas and three (3) nays, those being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne and Mr. Atzenhoffer.

The next item (23) on the agenda was a discussion concerning the system abuse due to the storm (Hurricane Katrina). Mr. Gouaux stated that he thought this matter had been covered in an early discussion regarding the same.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and *carried* by a vote of six (6) yeas and three (3) nays, those being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne, and Mr. Brent Callais, to *open* the Two-Thirds Agenda.

### **TWO-THIRDS AGENDA**

The first item (1) on the two-thirds agenda was a resolution opposing any FEMA trailers or modular type homes in Lafourche Parish. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. Mr. Callais stated that he had concerns regarding banning FEMA trailers through out Lafourche Parish. He went on to say that in the 10<sup>th</sup> Ward area there were close to 100 Grand Isle residents who were displaced because of the Hurricane Katrina. Mr. Callais stated that President Randolph, Mr. Cullen Curole, Mrs. Gretchen Caillouet and himself had attended a FEMA meeting in Vacherie, Louisiana where FEMA housing situations were discussed. He stated that if a blanket resolution banning FEMA trailers in the Parish was made then Grand Isle residents would be forced to move further away from their homes. Mr. Callais stated that he agreed with the intent of the resolution but that he could not support it as it was written. Mr. Gouaux next stated that he was not sure if anything could be done as long as FEMA met the specifications require by the Parish. He stated that he would not ban anything or discriminate against any people or organizations that were trying to help people until there was zoning in effect in Lafourche Parish. He said that he was aware that there was opposition with regards to this matter. Mr. Gouaux said that there was nothing that could be done as long as the rules and regulations of the Parish were followed. Mr. Curole stated that FEMA's first priority was to place travel trailers in the yards of people whose homes had been destroyed. He stated that trailer communities were not FEMA's first priority. Mr. Curole advised that it was his understanding that FEMA had already leased mobile home lots. He stated that other than with permitting, this matter was not absolutely under the Parish's control. He said that an all over ban on FEMA trailers would be awkward because the residents of the Parish whose homes had been destroyed would probably prefer to be in a travel trailer in their yard rather than at a shelter. Mr. Curole stated that he did not know what the alternatives would be as there was not much rental property in the Parish. He stated that they were looking at as many options that they could think of and further that any suggestions from the Council would be welcomed and passed on to FEMA. Mr. Michael Matherne stated that he had put this matter on the agenda because he had concerns regarding massive trailer communities in the Parish. He stated that there were still 521 evacuees in the Nicholls State University Shelter in Thibodaux who had lost their homes in Orleans, St. Bernard, and Plaquemines Parish areas. He went to say that everyday when walking through the shelter he heard stories of how the evacuees were saved and how their roofs had to be cut through in order for them to be evacuated by a helicopter, or how they had to swim to the next structure. Mr. Matherne said that he was concerned that a time would come when FEMA would erect trailer

communities and not solve the problem. He stated that putting evacuees and others in trailers that were prone to hurricanes in the future, in his opinion would be a mistake. He stated that he thought that there should be no trailer type modular home communities south of Interstate 10. Mr. Matherne stated that he did not think that fit the problem. He explained that if the trailer communities were set up and a Category 1 storm came, it could destroy their homes, putting residents back at the starting block. Mr. Matherne then told of the actions of the evacuees located at the Nicholls State University shelter when water was mentioned. He went on to say that he would hate to think what would have had to be done if Hurricane Rita would have hit Lafourche Parish and the evacuees would have to have been evacuated again. Mr. Matherne emphatically stated that erecting a non-weather resistant, non-durable, non-permanent structure to house people was not safe. He stated that temporary FEMA housing in trailers would not solve the problems at hand. He reiterated that this was a safety issue. Mr. Matherne stated that FEMA trailers would not solve the problems being had by evacuees, but that if that was the solution, then the trailers should be set up north of Baton Rouge in order to take people out of harms way. He said that he wanted to hear discussion from everyone on this matter because he thought this to be a delicate subject. Dr. Lasseigne said that he agreed with Mr. Gouaux in that agreeing to this, he was not sure how much would be accomplished or if it would stop anything. He said that he agreed with Mr. Matherne from a safety and sociological perspective. He then spoke of maybe having displaced businesses who would want to relocate and put in a temporary structure, which he pointed out would be good for the Parish. He stated that if the guidelines were followed then he did not think that this resolution would be able to stop it. President Randolph stated that she thought there was another way to approach this matter because this resolution seemed cold in a time where the Parish had been so warm. She stated that she thought that what was wanted was some sort of authority or control over what would happen in the Parish. President Randolph stated that if something more substantial than a trailer was waited for, the evacuees would be in shelters for over a year. She said that if they were able to place them in a home-type setting on a temporary basis, which she said FEMA was referring to this as temporary, then they would be taking the next step into their recovery. President Randolph stated that she thought that the Council and the Administration needed to play a major part in the planning in every step of the way in order to avoid potential problems. Mr. Callais pointed out that this was only temporary housing and not permanent fixings. He stated that he thought this could be worked out with the Administration dealing with FEMA and if there was a proposed trailer park in a councilman's district that the Administration would contact that councilman and advise him of what was being spoken of and whether there was any opposition or not. Mr. Lorraine said that the Council should put themselves in the shoes of the displaced people, and further that he knew some people did not want trailers by their homes, but that in the circumstances that the Parish is faced with he thinks people should bend. He stated that the trailers would not be there forever, and that the Council and Administration should make sure that it was only temporary. Mr. Lorraine said that residents of Grand Isle would love to have a FEMA trailer and that if he was in the same situation of having no home, he would take whatever was given to him. He stated that sometimes things had to be sacrificed in order to help a fellow man and that not banning FEMA trailers would be one way of doing that. Mr. Delatte stated that he agreed with what Mr. Matherne had said about it being a safety issue with regards to trailers being north of Interstate 10. He then went on to explain that it should be remembered that this was Americans being spoken about, taxpayers and friends to our east and west, and to turn back on them now would be wrong. He said that there were some people who may not like trailers and that there had been trailer issues in Lafourche Parish previously, but that he did not think that the issue would ever go away. Mr. Delatte said that he could understand Mr. Matherne's sympathy and reasoning, because if another hurricane was had in the near future the trailers could become a safety issue. Mr.

Delatte said that this was America and that the people being spoken of were Americans, and that the Parish needed to take care of their own people. He said that if trailers could be acquired then they should get them, and further that 600 extra people would not change the Parish much. Mr. Delatte emphatically stated that a roof over someone's head was better than having them stand on top of roofs. He said that sleeping under your own roof made a huge difference and was a safety blanket for a lot of people. He then asked everyone to imagine living out of a shelter for the last few weeks or taking gang-showers like in a prison. Mr. Delatte then spoke about the emotional reaction of the children, reminding everyone that what was being discussed was not just adults, but families. He stated that having a "home", no matter if it was not where or what was being lived in previously, made a large difference to people. Mr. Atzenhoffer stated that it was his understanding that putting over 350 trailers in his district was being spoken about. He then spoke of a street in his district that was still under two (2) feet of water as of September 26, 2005, where trailers were looking to be put. Mr. Atzenhoffer said that these areas would not be raised. He said that he understood where Mr. Matherne was coming from and that he did not disagree, but that he also understood all of the Councilmen's points. Mr. Atzenhoffer said that what was being talked about was to take people who were in harm's way and putting them right back into it. Mr. Atzenhoffer stated that he hoped this matter ended up with a specific policy from the Parish government on how this would be handled. President Randolph stated that what had happened was that many private landowners had contacted FEMA and offered to sell their sites, to which FEMA would then assess every site. She stated that was as far as the process would get until someone spoke to Administration. President Randolph stated that when there was an assessment going on, it could simply be because a private landowner had generated that visit. Mr. Matherne said that he had heard Mr. Lorraine, and that was why he had put himself in their position. He went on to say that if he was in a FEMA trailer during hurricane season in Lafourche Parish he would sleep with one eye open. He asked that everyone vote for this resolution because the safest place for people who would be housed in a FEMA trailer would be north of Baton Rouge. He added that if the evacuees were to be housed for a longer time, he wished that more permanent weather resistant structures would be provided. Mr. Gouaux said that he understood where Mr. Matherne was coming from but that he thought that maybe he should go with a resolution asking the Washington delegation to push FEMA into doing what was being requested in the present resolution. He stated that at the local level he did not think this was appropriate. Mr. Gouaux said he fully agreed with Mr. Matherne's concept and idea, but that he would suggest that the Washington delegation be asked by resolution to review relocation sites for the evacuees. The motion **failed** by a vote of three (3) yeas, those being of Mr. Michael Matherne, Mr. Tyrone Williams and Mr. Mark Atzenhoffer, and six (6) nays.

## **RESOLUTION FAILED**

### **DISCUSSIONS**

The next item (2) on the two-thirds agenda was a discussion concerning problems encountered by Hurricane Rita. Mr. Gouaux stated that the hardest area in the Parish hit by Hurricane Rita occurred in his district and that most of the work that was done was done between Lockport and Larose. He stated that something needed to be done because year after year and storm after storm the area encountered the same problems with flood protection. He stated that he would ask that the Council consider bonding out monies to remedy the protection issues, after he had spoken to the Administration about the matter. Mr. Gouaux thanked the Department of Public Works, Mr. Ray Cheramie, residents of the area and from outside resources for all of the help that they had given. He said that they too thought that they were fighting a hopeless battle in trying to control the flood waters. Mr. Gouaux said that this problem was encountered every year and that if something was not done with the levees in the near future there would be a lot of homes destroyed

by flooding waters. Mr. Gouaux then asked that the Administration research what kind of funds could be bonded out or from what sources funds could be received to redo the levees. He reported that the North Lafourche Levee District had agreed on September 27, 2005 to look at certain portions of the levee and obtain core samples and check elevations. He stated that their work should be completed in thirty days and that the North Lafourche Levee District would see how much money could be put toward a temporary fix of the levees in heightening them. Mr. Gouaux said that some of the levees had not be tended to in years and that when originally built, were not designed to be a protection levee. He was thankful that within the last few years that the Department of Public Works had decided to add more dirt on some of the low spots of the levee. Mr. Gouaux stated that if that had not been done, there would have been water from Larose to Lockport on Louisiana Highway 1. He said that a way to protect the people of the area had to be found in the near future. Mr. Lorraine stated that the North Lafourche Levee system was probably one of the best levee systems in the State of Louisiana. He said that a point had been reached where at present those levees needed to be heightened. Mr. Lorraine suggested putting more pump stations and added that the people of the area had just voted on a new tax. He said that there was \$1 million given to the area for locks and that if they needed to raise taxes in order to get it done, then they should raise the taxes. Mr. Lorraine reported that some places in his area had come with two (2') feet to eighteen (18") inches of topping the levees. Mr. Lorraine said that in the past, storms were usually a category 1, 2 or 3 and that now at present the storms being had were category 4 and 5s. He stated that the levees were becoming obsolete, but that the present and previous levee board of the area had and would continue to address the problems and that they would raise the levees. He then began speaking of problems being had with obtaining right-of-ways. Mr. Lorraine said that there had been problems in South Lafourche, but that most people had been willing to compromise and something had been accomplished. He said that a lot of the people who wanted the protection from the levees would not allow a right-of-way. Mr. Gouaux then thanked Mr. Lorraine for coming to his rescue during Hurricane Rita when Mr. Lorraine aided in helping when Mr. Gouaux was trying stop water from rising over the Intracoastal Waterway near a pump station. Mr. Lorraine explained that when attempting to obtain sandbags to help Mr. Gouaux, he was advised that there were no more sandbags. He stated that he then contacted Mr. Albert Guidry, Drainage District No. 1 who then called Grand Isle Shipyards who gave them their last load of sand which they brought to the location needed, along with three (3) loads of shells.

Mr. Tyrone Williams left at 8:09 p.m..

The next item (3) on the two-thirds agenda was a discussion concerning an update regarding the Thibodaux Library site. Mrs. Beverly Arabie handed out a letter received from Mr. Germaine Jackson, Thibodaux City Council Attorney. She went on to advise Chairman Matherne that she had sent him a letter but was unaware of whether or not he had received it. Mrs. Arabie stated that she knew that there were several property owners, council members, board members and Thibodaux residents who were concerned about what was happening with the Thibodaux Library. She then gave a brief time line of events that had occurred to date. Mrs. Arabie began by stating that on June 13, 2005 the Library Board had voted on reviewing the Foundry as a possible site for the library. She went on to say that on June 16, 2005 she had sent a letter to the District Attorney because there had been a question regarding whether a library could be built within 300' feet of a bar. Mrs. Arabie next reported that the District Attorney had given an opinion on June 27, 2005 stating that the Council should contact the attorney for the City of Thibodaux. On August 9, 2005 the Council had a resolution on the agenda asking that the attorney for the City of Thibodaux to give an opinion on the

matter. She explained that on August 17, 2005 Mayor Charles Calliouet replied with an opinion from Mr. Jackson. Mrs. Arabie stated that the opinion said that they would be granted a permit. She went on to say that in August 2005 she had contacted an appraiser from Houma, Louisiana with whom she has had several conversations. Mrs. Arabie informed the Council that the two (2) recent storms had delayed progress. She then said that on September 20, 2005 the appraiser gave an estimated price of what the cost would be to appraise all four (4) considered properties, keeping in mind that the Foundry was the primary site. Mrs. Arabie stated that on September 22, 2005 she had sent a letter to the property owners, as well as Chairman Matherne, explaining the progress thus far. She then read from the letter which she had sent. While reading the letter, Mrs. Arabie stated that she had advised the appraiser that the primary property interested in was the Foundry site and further that he should proceed with its appraisal. She read on stating that the Library Board would not approve the spending of money on appraisals of other property or other property if the Foundry was not approved for purchase. Mrs. Arabie explained that if the appraised amount of the Foundry was accepted then an environmental assessment would need to be done. She went on to say that once that was accepted by the Library Board, the decision to pursue the surrounding properties would need to be decided. Mr. Michael Matherne asked when the appraisal would take place, to which Mrs. Arabie advised that she had spoken to the appraiser the week of September 19, 2005 who had said that he would try and get it done the week of September 26, 2005. Mr. Michael Matherne advised that there was a millage renewal coming in October, 2005 and that the people of the area knew, prior to any new construction, that they had been blessed with one of the nicest libraries in the Parish and further that Thibodaux had not forced itself to be first and had agreed to be built as one of the last libraries. He stated that he thought it time for deeds and not words as it was his thought that without a detailed plan, problems would be had on October 15, 2005. Dr. Lasseigne inquired as to if once the Foundry came in at an acceptable price, cost estimates for renovations would be needed before purchasing it. Mrs. Arabie stated that first the purchase price would have to be agreed on, then an environmental assessment would need to be done, and once that was complete it would go back before the Library Board, at which time costs estimates would need to be known. She said that the Library Board would also have to decide whether to purchase the surrounding properties or not. Mr. Matherne questioned whether the budget for the Thibodaux library was \$5 million dollars, to which Mrs. Arabie responded that the budget had never been \$5 million dollars.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Tyrone Williams, to **close** the Two-Thirds Agenda and **return** to the regular agenda.

Mr. Callais commended the Library Board for all of their hard work and commented that in the 2005 year two (2) libraries had been completed and four (4) were currently under construction.

Mr. Cheramie stated that he would like to request that the Councilmen discontinue directing the pumpers to continue pumping water down when it was already at a sufficient level. He went on to explain that due to the water levels being pumped down too low, there would be insufficient water to lubricate the rubber bushings located at the bottom of the pump causing them to have to be repaired. Mr. Cheramie stated that the pumpers were having mixed emotions regarding whom they should take directions from. Mr. Cheramie said that he had identified where the water level should be kept for all pump stations. He stated that if there was a problem, he would request that the Councilmen call him and advise him of the water level and what should be done. Mr. Toups said that he agreed with Mr. Cheramie regarding the pumps and water level. He then went on to ask

whether the salary of the pumpers had been cut, as he had received phone calls from some of them regarding that. Mr. Cheramie advised that the salary of the pumpers had not been cut, but that the salaries had been corrected. He went on to explain that there were pumpers who were being paid for running five (5) diesel pumps who were only running four (4), and further that some pumpers were getting paid for activities which he was unaware of what the activities were. Mr. Cheramie said that they went back to the schedule which sets forth a pumper's pay and used it to rearrange the pumper's pay so that everyone was being paid fairly. He went to say that those pumpers who traveled from one (1) pump station to another were being paid mileage from one pump to another and that if the pumper only visited one pump, that he would not receive mileage payment at all. Mr. Cheramie said that few pumpers had seen an increase in their pay, but that the majority of the pumpers had received a rearrangement of their salary.

### **ADJOURNMENT**

On **motion** by Dr. Tommy Lasseigne, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Meeting of September 27, 2005 **adjourned** at 8:22 p.m.

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**MICHAEL MATHERNE, CHAIRMAN  
LAFOURCHE PARISH COUNCIL**

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