

SEPTEMBER 28, 2004
RACELAND, LOUISIANA

STATE OF LOUISIANA
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, SEPTEMBER 28, 2004 (RESCHEDULED FROM SEPTEMBER 14TH), AT 5:30 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Mr. Brent Callais, Co-Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 5:30 P.M.

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

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

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

PRESENTATIONS

The first (1) item on the agenda was the Candidate(s) for Congress to address the Council. No Candidates were present to address the Council.

APPROVAL OF MINUTES

The next item (2) on the agenda was the approval of the minutes of the August 10, 2004, Lafourche Parish Council Regular Meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne to accept the August 10, 2004 Regular Meeting minutes. The minutes were **approved** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

The next item (3) on the agenda was the approval of the minutes of the August 24, 2004, Lafourche Parish Council Special Meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to accept the August 24, 2004 Special Meeting minutes. Mr. Daniel Lorraine asked for clarification from President Randolph about item #7 on Page 3 of the minutes concerning the “Boat Launch Fund”. President Randolph stated that she was wrong in the

information that she had given and that there was no Boat Launch Fund. The minutes were *approved* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

APPROVAL OF MINUTES AND RECOMMENDATIONS OF COMMITTEE MEETINGS

The next item (4) on the agenda was to approve the minutes and recommendations of the August 24, 2004 Public Works and Solid Waste Committee meeting. A **motion** was offered by Mr. Mark Atzenhoffer, Chairman of the Public Works and Solid Waste Committee, and seconded by Mr. Michael Matherne to accept the August 24, 2004 minutes and recommendations of the Public Works and Solid Waste Committee meeting.

Two items were pulled:

a.) Motion to deny/grant a variance from not having to extend the cross streets regarding Lot Extensions and Redivision of Property Belonging to Todd Brady. The Planning Commission did not recommend the variance to the Council.

b.) Motion to deny/grant a variance from having to extend cross streets regarding Ram Sponge Lot Extensions. The Planning Commission did not recommend the variance to the Council.

Mr. Mark Atzenhoffer stated that Mr. Michael St. Martin had mentioned that the Planning Commission does not recommend variances to the Council and that the Council had to approve or recommend the variances. Mr. Mark Atzenhoffer offered a **motion** to grant the variances for both items that were pulled, seconded by Mr. Daniel Lorraine, and *carried* by a vote of seven (7) yeas, one (1) nay, that being of Mr. Phillip Gouaux, and one (1) absent, that being of Mr. Lindel Toups.

The minutes and recommendations were *approved* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

Proceedings of the August 24, 2004 Public Works and Solid Waste Committee Meeting are as follows:

THE LAFOURCHE PARISH COUNCIL PUBLIC WORKS AND SOLID WASTE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, AUGUST 24, 2004, TO IMMEDIATELY FOLLOW THE SPECIAL LAFOURCHE PARISH COUNCIL MEETING SCHEDULED TO BEGIN AT 5:30 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Mark Atzenhoffer, Chairman, stated that the Public Works and Solid Waste Committee was ready for the transaction of business following the close of the Special Lafourche Parish Council meeting.

Proceedings of the meeting were called to order at 7:25 P.M. with the following:

PRESENT: Mr. Tyrone Williams
Mr. Michael Delatte–Co-Chair
Mr. Michael Matherne
Dr. Tommy Lasseigne
Mr. Mark Atzenhoffer–Chairman
Mr. Lindel Toups

Mr. L. Phillip Gouaux, II
Mr. Brent Callais
Mr. Daniel Lorraine

ABSENT: None

A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, to *deviate* to “*Motions*” on the agenda, to discuss items 3, 4, and 5. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

MOTIONS

The next item (3) on the agenda was a motion to submit Cumberland Estates (44 lots), District 4, Ward 11, to be presented before the August 26, 2004, Planning Commission Meeting. (Preliminary Plat Approval) Mr. Michael St. Martin stated that all is in order and he would recommend it to the Planning Commission. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, *to recommend* this item to the Planning Commission. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (4) on the agenda was a motion to recommend a variance request on Ram Sponge Lot Extensions District 8 Ward 10, - variance not to have to extend the cross streets at this time since the owner owns the remaining property. Mr. Michael St. Martin stated that he would not recommend this variance. A brief discussion ensued. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, *not to recommend* this item to the Planning Commission. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (5) on the agenda was a motion to recommend a variance request on Lot Extensions and Redivision of Property Belonging to Todd Brady District 8 Ward 10, - variance not to have to extend the cross streets. Mr. Michael St. Martin stated that Mr. Picciola was present to explain the requested variance. Mr. Brent Callais stated that a map was distributed to the Council in order to better understand the situation. Mr. Joe Picciola, Consulting Engineer, with Picciola and Associates, stated that he represents Mr. Todd Brady. He said that he prepared a plat, showing ownership of a strip of property between two existing subdivisions (West 41st Street and Acadia Place). Mr. Picciola further explained the variance. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Lindel Toups to approve the variance. An *amendment* was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Matherne, to state “*that if in fact it becomes a development, instead of lot extensions, cross streets would have to be built beyond Ave. B*”. The *amendment failed* by a vote of four (4) yeas and five (5) nays, that being of Mr. Daniel Lorraine, Dr. Tommy Lasseigne, Mr. Lindel Toups, Mr. Brent Callais, and Mr. Tyrone Williams. The original motion **to recommend** the variance *carried* by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Brent Callais, and *carried* to go back to the original agenda to the first (1) item.

PUBLIC TO ADDRESS THE COMMITTEE

The first (1) item on the agenda was Mr. Gary Baudoin to appeal the installation of a fire hydrant on Sugar Street in Mathews. Mr. Baudoin was not in attendance.

PRESENTATION

The next (2) item on the agenda was Mr. Richard Weimer, Architect, to give a status report regarding the animal shelter. Mr. Weimer stated that two other people were also present to give a status report. Dr. Eugene Dial gave a detailed introduction. He stated the location that was selected was next to the parish jail, that the Sheriff would commit trustees for the cleaning and feeding of the facility, and would therefore save the parish money. Mr. Robert Boudreaux, Architect, with Weimer Architects, gave a Power Point presentation and showed the floor plans of the facility. He mentioned that the base bid is estimated at \$407,000, the three add alternates are about \$25,000 each. The whole proposed plans would be in the \$500,000 range. He then stated that the budget amount is met by the base bid, and hopefully, the add alternates could be added in the contract. Discussions ensued on the amount of animals that can be housed and how many kennels there will be.

PUBLIC WORKS DIRECTOR'S REPORT

The next item on the agenda was Mr. Ray Cheramie's report regarding ongoing and upcoming projects. The first project he spoke of was the West Thibodaux drainage project, which was awaiting Louisiana Department of Transportation and Development permits, within a week the culverts could be put in. Then, he reported that the Leighton Pump Station had electrical work that was pending and in approximately another two weeks, the project should be completed. He stated that work was being done to add a 48 inch pump at Leighton Pump Station, already have the pump and the engine, looking to put the project in the 2005 capital outlay budget. Mr. Cheramie said that they were waiting for approval of the servitude for Park Drive and Camellia Drive to sign contracts with Picciola on the culvert sizes. He said that Ward 6 has an engine and pump exchange program. Then, on the Bayou Bouef Pump Station, adding another 12 inch pump to the existing 12 inch pump, the work is almost complete. He stated that the Le Butte Pump Station is replacing the old 16 inch pump with a 24 inch pump. Region A Barn is rebuilding a 36 inch pump and a 671GM pump. There will be an extra 16 inch pump in the Choupic area, or possibly in Des Allemands. He stated that the culvert gates (Ward 6) for the 80 Arpent Canal were built, was delivered to be sand blasted and painted, and will be installed in the next two weeks. Mr. Cheramie then said that they received the permits from the Corp. to install the culverts behind the church in Bayou Bouef. He then reported that the three tandem trucks were delivered and it will now be more economical to haul dirt. Then, he stated that he met with Mr. Mark Atzenhoffer for Region B, about getting some prices on guard rails on Bayou Folse Road and mentioned possibly adding more rock. He then said that the sweeping of the Cyprien River with the North Lafourche excavator is three weeks from being completed, and discussions were made on lowering the 48 inch pump in the area. He said the Twin Oaks Drainage project was waiting for final plans. Then, he mentioned tree clearing, waiting on final draft from Picciola, trying for the 2005 budget. Mr. Cheramie reported that the Freddie Breaux Levee in Gheens, was in process. Then, the Reed Toups Levee was waiting for the Corp permits. He then reported on Blanchard Canal, needing culverts installed because of erosion. Mr. Cheramie reported of a house elevation in Ward 11 that is 98% complete. Then, he said that Mr. Leonard Chauvin was doing an elevation survey on Hollywood Canal, to possibly install a pump station. He then reported that the lines were moved from Region B and Ward 11 Barns. Also, in Region C, recapping of the Bayou Blue Levee. Mr. Cheramie reported that the Coastal Pump Station, north of Raceland - 40 Arpent Canal, clean out and raising of the existing 40 Arpent Levee was completed from Lockport up to the Fantastic Pump Station. He stated that bids would be opening on September 14th for the Fantastic Pump Station. Then, Mr. Cheramie reported on the Lockport Boat Launch, which was 85% complete and of a house elevation that was 95% complete. He then stated that the Edgar

Guidry Pump Station will be opening bids on September 7th. He reported that the Ludivine Levee had about one mile of work to be completed. He reported that the levee was completed for the Old Valentine Pump Station, and they will take the engines and relocate them onto the discharge pipes. Then, on the Del Mar Farm culverts, Mr. Picciola was still gathering information to locate and deepen the culverts. The Valerie Canal sweep out (Region D) would begin on Monday, August 30th. The Cloverly Bridge plan should be completed in mid-August. The culverts were completed on West 11th and West 13th. Mr. Picciola was to provide a recommendation on how much dirt was necessary to fill in at the Burlington dam. The Serigny/Mobley project began and trustees are being used to help. The sidewalk project was contracted to Lebro Construction and awaiting their start.

DISCUSSIONS

The next item (6) on the agenda was a discussion concerning the twenty-arpent canal. Mr. Brent Callais began by stating that he spoke with Mr. Cheramie and would like him to receive some prices for doing some aerial spraying and to clean out some trees.

The next item (7) on the agenda was a discussion concerning the Bayou Bank Stabilization project between Lockport to Larose. Mr. Phillip Gouaux requested that the Administration do some research on mitigation to find out what would be necessary to get the project moving.

The next item (8) on the agenda was a discussion concerning hurricane preparedness. Mr. Gouaux requested that every area of the parish perform certain duties ahead of time and would like the Administration to look at it. President Randolph explained that the Department of Public Works has a detailed plan and that she would get a copy presented to the Council.

The next item (9) on the agenda was a discussion concerning parish wide servitudes. Mr. Daniel Lorraine expressed his concerns and stated that it was a parish-wide problem; people digging ditches in the subdivisions and how that will become a problem in the future. Mr. Cheramie explained right-of-ways and that people need to be prevented from building anything on them.

The next item (10) on the agenda was a discussion concerning the removal of a sunken boat in the area of the Lockport Boat Launch. Mr. Gouaux stated that he would like the Administration to research this issue because Sheriff Webre sent a letter and nothing was done about it, and that was over a year and a half ago.

The next item (11) on the agenda was a discussion concerning the removal of derelict boat sheds along the Company Canal in Lockport. Mr. Gouaux said this is another problem that he faces in his District and would like for it to be resolved. He stated that this was a true safety hazard, especially for hurricanes and storms. Mr. Lindel Toups suggested that the Town of Lockport should be partly responsible because of the leases. Mr. Cheramie stated that he had met with the Mayor of Lockport trying to get them to take action with the parish, and all they want to do is offer a list of those who have a lease.

The next item (12) on the agenda was a discussion concerning the levee along Bayou Blue. Mr. Gouaux stated that Mr. Cheramie had cleared that up with the 2005 budget.

RESOLUTIONS

The next item (13) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to permanently fix the sink hole on Louisiana Highway 316 between Meadowland Drive and Ozia Skyline Drive, Bayou Blue, Ward 11 of Lafourche Parish. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-119 FIX SINK HOLE ON LOUISIANA HIGHWAY 316

The next item (14) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to permanently fix the sink hole on Louisiana Highway 20 at the water tower near the Texaco in Ward 6 of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Phillip Gouaux, and *carried* by a vote of nine (9) yeas and zero (0) nays. **RES. NO. 04-120 FIX SINK HOLE ON LOUISIANA HIGHWAY 20**

The next item (15) on the agenda was a resolution authorizing J. Wayne Plaisance to perform drainage work on West 11th and 13th Streets on the aprons approaching Louisiana Highway 3235; and authorizing the Parish President to sign any and all necessary documents. This item was *pulled* from the agenda.

The next item (16) on the agenda was a resolution authorizing J. Wayne Plaisance to perform drainage work on East 90th Street; and authorizing the Parish President to sign any and all necessary documents. This item was *pulled* from the agenda.

OTHER BUSINESS

The next item on the agenda was Other Business. There was no other business to be addressed.

ADJOURN

On **motion** by Mr. Brent Callais, seconded by Mr. Phillip Gouaux, and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee meeting of August 24, 2004, **adjourned** at 8:34 pm.

The next item (5) on the agenda was to approve the minutes and recommendations of the August 24, 2004 Board of Appointment and Permits Committee meeting. A **motion** was offered by Mr. Michael Matherne, Chairman of the Board of Appointment and Permits Committee, and seconded by Mr. Mark Atzenhoffer to accept the minutes and recommendations of the Board of Appointment and Permits Committee meeting. The minutes and recommendations were *approved* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

Proceedings of the August 24, 2004 Board of Appointments and Permits Committee Meeting are as follows:

THE LAFOURCHE PARISH COUNCIL BOARD OF APPOINTMENTS AND PERMITS COMMITTEE WAS SCHEDULED TO MEET ON TUESDAY, AUGUST 24, 2004, IMMEDIATELY FOLLOWING THE PUBLIC WORKS & SOLID WASTE COMMITTEE MEETING TO BE HELD IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND LOUISIANA.

Mr. Michael Matherne, Chairman, stated that the Board of Appointments and Permits Committee were ready for the transaction of business following the close of the Public Works & Solid Waste Committee meeting.

Proceedings of the meeting were called to order at 8:35 P.M. with the following:

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

ABSENT: None

A **motion** to *deviate* from the original agenda, to go to “*Discussions*”, item (4) on the agenda, was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, and *carried* by a vote of nine (9) yeas and zero (0) nays.

DISCUSSIONS

The next item (4) on the agenda was a discussion to obtain approval from the Council on the plans of relocating the 911 Operations Center. Mr. Bud Dill, Communications Board Member, had booklets of information handed out to the Council. He started his presentation by stating that in March 2004, the District procured the 911 integrated computer telephone system, mapping system, and administrative telephone system. The cost for the new equipment was \$578,001.15, which includes five years maintenance. Mr. Dill went into detail about the three primary dispatching agencies, who they are and what they do. He continued his presentation by stating some facts from the packets that were handed out. A brief discussion ensued.

The next item (5) on the agenda was a discussion concerning re-structuring the composition of the Lafourche Parish Communications District Board. Mr. Dill suggested to the Council that they get familiar with the membership regulations to be on the Board (from the last two pages of the handout). He went into detail how the seven member board is made up. A brief discussion ensued.

The next item (6) on the agenda was a discussion concerning the Lafourche Game and Fish Commission.(DEFERRED FROM 08-10-04 LPC MTG.) Mr. Phillip Gouaux offered a **motion** to send the District Attorney’s letter of opinion and a letter from the Lafourche Parish Council to the Lafourche Game and Fish Commission, asking that if board members have a conflict, send Lafourche Parish Council a letter of resignation, and to re-advertise for vacancies, within two weeks. Mr. Michael Delatte seconded the motion. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, and *carried* by a vote of nine (9) yeas and zero (0) nays, to go back to the original agenda, item (1)

MOTIONS

The next item (1) on the agenda was a motion to fill one of three vacancies on Lafourche Parish Recreation District No. 4 (Thibodaux)/advertised. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Michael Delatte, and *carried* by a vote of nine (9) yeas and zero (0) nays to appoint Ms. Alaina Cavell.

The next item (2) on the agenda was a motion to fill vacancies on the Lafourche Communications District Board as follows/advertised:

- One vacancy representing North Lafourche/no applications
- One vacancy representing South Lafourche/2 applications
- One vacancy-resident of the Town of Golden Meadow/1 application

A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and *carried* by a vote of nine (9) yeas and zero (0) nays to appoint Ms. Debra Gautreaux to represent South Lafourche. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and *carried* by a vote of nine (9) yeas and zero (0) nays to appoint Mr. Joe Mickles to represent the Town of Golden Meadow.

The next item (3) on the agenda was a motion to fill a vacancy on the Lafourche Parish Library Board to fill the expired term of Sherry Robichaux/advertised. A **motion** was offered by Mr. Brent Callais, seconded by Dr. Tommy Lasseigne, and *carried* by a vote of nine (9) yeas and zero (0) nays to appoint Ms. Beverly Arabie.

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Hearing none, Chairman Matherne entertained a motion to adjourn.

ADJOURN

On **motion** by Mr. Phillip Gouaux, and unanimously seconded, and with no further business, the Lafourche Parish Council Board of Appointments and Permit Committee meeting of August 24, 2004, **adjourned** at 8:55 P.M.

The next item (6) on the agenda was to approve the minutes and recommendations of the August 24, 2004, Finance and Legislative Committee meeting. A **motion** was offered by Dr. Tommy Lasseigne, Chairman of the Finance and Legislative Committee, and seconded by Mr. Daniel Lorraine to accept the minutes and recommendations of the Finance and Legislative Committee meeting. The minutes were *approved* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

Proceedings of the August 24, 2004 Finance and Legislative Committee Meeting are as follows:

THE LAFOURCHE PARISH FINANCE & LEGISLATIVE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, AUGUST 24, 2004, IMMEDIATELY FOLLOWING THE BOARD OF APPOINTMENTS AND PERMITS COMMITTEE MEETING, IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Dr. Tommy Lasseigne, Chairman, stated that the Finance and Legislative Committee was ready for the transaction of business following the close of the Board of Appointments and Permits Committee.

Proceedings of the meeting were called to order at 8:55 p.m. with the following:

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

ABSENT: None

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning contracts that should be recorded. (DEFERRED FROM THE 08-10-04 LPC MTG.) Mr. Cullen Curole, Parish Administrator, stated that he had done some research on which contracts should be recorded. President Randolph stated that a process is being attempted to have the contracts in an area for public viewing and accessible to everyone. Mr. Daniel Lorraine suggested that all contracts be recorded, to have a paper trail. A brief discussion ensued.

The next item (2) on the agenda was a discussion concerning the tracking of occupational licenses and developing a procedure to assure employees at these business establishments are protected by Workman's Compensation. Mr. Phillip Gouaux suggested that the Administration hire a Compliance Officer to see that everyone complies with the rules and regulations. Mr. Roy Meek stated his concerns on the issues and asked if anyone can help him. A long discussion ensued. The Committee then suggested that the Administration do some research to find out what can be done.

The next item (3) on the agenda was a discussion concerning the status of the parish libraries. Mr. Daniel Lorraine requested an update on the status of the libraries from the architect working on the parish libraries. Mr. Joseph Bradley Caillouet, with JBC/AIA, stated that the amended contract had been signed by President Randolph. He said that he had received the resolutions that were passed by the Parish Council. Mr. Caillouet stated that the resolutions that were issued to him authorized by Parish Council, to proceed with: the Galliano Branch renovations, the Sixth Ward facility, the Bayou Blue Branch, and the bids (October 7th) for the Gheens Library. He gave more specifics of the time schedules and what was to be done. Discussion ensued.

RESOLUTIONS

The next item (4) on the agenda was a resolution requesting the Lafourche Parish Legislative Delegation to submit and support legislation that would allow Lafourche Parish to utilize its official website, "*lafourchegov.org*", as the Official Journal for Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. A brief discussion ensued. The motion **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent from the room, that being of Mr. Brent Callais.

RES. NO. 04-121 "LAFOURCHEGOV.ORG", AS THE OFFICIAL JOURNAL

The next item (5) on the agenda was a resolution supporting the efforts of a Lafourche Parish Agriculture Center to be located in the Raceland area near the intersection of Louisiana Highway 90 (future I-49 corridor) and Louisiana Highway 1 and 308. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Lindel Toups, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent from the room, that being of Mr. Brent Callais.

RES. NO. 04-122 AGRICULTURE CENTER, RACELAND AREA

The next item (6) on the agenda was a resolution engaging the firm of Postlethwaite & Netterville to perform the Lafourche Parish Council statutorily required audit as of and for the year ended December 31, 2004; and authorizing the Parish President to sign any and all necessary documents. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Mark Atzenhoffer. An **amendment** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine, to add “*and technological conversion*” after audit, and to also state, “*for the years ending December 2004 and 2005*”. Discussions ensued. Ms. Shannon Chiasson, Finance Director, expressed her opinion on being most comfortable with using Postlethwaite & Netterville. Detailed discussions ensued. The **amendment carried** by a vote of seven (7) yeas and two (2) nays, that being of Mr. Phillip Gouaux and Mr. Lindel Toups. The original resolution **carried** by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux.

RES. NO. 04-123 POSTLETHWAITE & NETTERVILLE, 2004 AUDIT

The next item (7) on the agenda was a resolution amending the Lafourche Parish Procurement Policy for all Louisiana Community Development Block Grant Programs for the Parish. (DEFERRED FROM THE JULY 13, 2004 LPC MTG.) Ms. Pam Roussel, South Central Planning and Development Commission, clarified the specifics for the request of this amendment. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-124 L.P. PROCUREMENT POLICY

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Hearing none, Chairman Lasseigne, moved on to the next item.

OTHER BUSINESS

The next item on the agenda was Other Business. Mr. Phillip Gouaux requested that the Council pass a resolution and send it to the Governor and Legislative Delegation, asking to expedite the appointments to the North Lafourche Conservation and Levee District. He explained the urgency of that being done. Mr. Mark Atzenhoffer asked for recommendations to this board, but he said some of the requirements make it hard to find a candidate. He suggested getting delegation to relax some of the requirements. President Randolph clarified the process and stated that there was only one appointment unfilled.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Lindel Toups, and **carried** by a vote of eight (8) yeas, and one (1) nay, that being of Mr. Mark Atzenhoffer, to open a Two Third Agenda to discuss a resolution that was not on the original agenda.

TWO THIRD AGENDA

A **motion** was offered by Mr. Phillip Gouaux, and seconded by Mr. Lindel Toups, to propose a resolution to send the Governor and Delegation notification to expedite the appointments to the North Lafourche Conservation and Levee District. The resolution **carried** by a vote of eight (8) yeas, and one (1) nay, that being of Mr. Mark Atzenhoffer.

RES. NO. 04-125 GOVERNOR AND DELEGATION NOTIFICATION

A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Daniel Lorraine, and **carried** by a vote of nine (9) yeas and zero (0) nays, to close the Two Third Agenda.

ADJOURN

On **motion** by Mr. Phillip Gouaux, unanimously seconded, and with no further business, the Lafourche Parish Council Legislative and Finance Committee meeting of August 24, 2004, **adjourned** at 9:47 P.M.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to **enter** into the **Executive Session**, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups. The Executive Session began at 5:36 p.m.

EXECUTIVE SESSION

The next item (7) on the agenda was an Executive Session to discuss the following matters:

- a.) Lafourche Real Estate and Assoc., et al v. 83939 Lafourche Parish Council
- b.) Lafourche Parish Council, et al v. 97953 Charles Banta, et al.
- c.) Donna Cheramie Cromer et al v. 96920 South Lafourche Levee District et al

A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, to **close** the **Executive Session** at 6:23 p.m., and to reconvene the meeting. The motion **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

The next item (8) on the agenda was to take any necessary action from the Executive Session. A **motion** was offered by Mr. Michael Matherne and seconded by Dr. Tommy Lasseigne to grant a continuance authorizing the District Attorney to proceed as necessary for item (b). Mr. Daniel Lorraine recused himself from voting on this issue. The motion **carried** by a vote of seven (7) yeas, one (1) nay, that being of Mr. Daniel Lorraine, and one (1) absent, that being of Mr. Lindel Toups. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte for Mr. Lloyd Bourgeois to hire an abstractor and a handwriting expert for item (c), and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

PRESIDENT'S REPORT

The next item (9) on the agenda was a presentation of the monthly report on parish finances by the Parish President as required by the Lafourche Parish Home Rule Charter. President Randolph briefly deviated to the financial statements, Section 10 of Page 5, Total Special District and District Boat Launch funds, to clarify where it specifically states boat launch funds. She then stated that there are three projects that are completed: the Galliano Sheriff's Office roof, the Clerk of Court Building roof, and the Government Complex Building roof. President Randolph went over some projects that were in progress: the Galliano Annex had 50% of lighting replaced and the painting crew to start on October 4th, Historic Courthouse (contracts pending), Barrios Buildings (contracts pending), the Galliano Health Unit was under construction, the sidewalk project was under construction, and the animal shelter bids were opening in November. Then, she stated that there were projects in design: the Thibodaux Health Unit, the Galliano Library, the Ward 6 Library, the Bayou Blue Library, and the Gheens Library. She stated that the IT Analyst position was filled and working to upload the Website with the 2005 Budget, the Proposed Home Rule Charter Revision, the Rededication of Millages. She also mentioned the Voice of the Wetlands Festival that will be held in Downtown Houma the weekend of October 9th. Ms. Shannon Chiasson, Finance Director, gave a report on the parish finances beginning with Drainage - Fund 104, which were the three funds that were over budgeted, with numbers of: \$125,586.32 for fuel drainage pumps, \$22,849.74 for gravel, sand, dirt,

etc., \$19,906.66 for equipment and vehicle repair. She gave comparison figures for sales tax collections; and the Royalty Fund to date was \$1,822,000. Ms. Chiasson went over updates for the 2005 Budget. Then, she went over the technology updates, being the steps to date and the steps in progress. She also presented the millage collections for 2003, the 2004 adjusted millage after reappraisal, the 2004 maximum authorized levy, the 2004 alternative option, and the cost of 15 year debt.

Mr. Michael Matherne relinquished his time for a brief discussion by Mr. Lance Arnold, Instructor, Mass Communications, at Nicholl State University, pertaining to Charter Communication, Channel 56. Mr. Arnold said that Nicholls had an agreement with Charter to air school programs, but Charter was not airing them. He then stated that the Lafourche Parish Council was in charge of the station and has the rights to the broadcast. He said that he was present to ask the Council to air programs, instead of static. Mr. Michael Matherne mentioned that it was an education and governmental channel. Mr. Phillip Gouaux asked if the Council can dictate what would be aired and how to fully utilize the station. Mr. Michael Matherne stated that it was a franchise agreement and that the station would have to be present to film and then to air it.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, and **carried** to **open** the **Public Hearing** at 6:40 p.m.

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (10) on the agenda was an ordinance to accept into the parish system the subdivision known as the Rachel Plantation, Addendum No. 3, Phase D, Ward (11), District (4) of Lafourche Parish. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3470 RACHEL PLANTATION, ADDENDUM NO. 3, PHASE D

The next item (11) on the agenda was an ordinance to accept into the parish system the subdivision known as the Algiers Commercial Subdivision, Addendum No. 1, Ward (1), District (1) of Lafourche Parish. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3471 ALGIERS COMMERCIAL SUBDIVISION, ADDENDUM NO. 1

The next item (12) on the agenda was an ordinance to accept into the parish system the subdivision known as the Lee Leger Subdivision, Ward (10), District (9) of Lafourche Parish. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3472 LEE LEGER SUBDIVISION

The next item (13) on the agenda was an ordinance to accept into the parish system the subdivision known as the James Plaisance Subdivision, Ward (3), District (5) of Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3473 JAMES PLAISANCE SUBDIVISION

The next item (14) on the agenda was an ordinance to accept into the parish system the

subdivision known as the Gaspard Subdivision, Ward (9), District (7) of Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3474 GASPARD SUBDIVISION

The next item (15) on the agenda was an ordinance to accept into the parish system the subdivision known as the Redivision of 1.118 Acres into Lots A, B, & C, Belonging to Jason Rodrigue, Ward (1), District (2) of Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3475 REDIVISION, JASON RODRIGUE

The next item (16) on the agenda was an ordinance to accept into the parish system East 96th Place, Ward (10), District (9) of Lafourche Parish, State of Louisiana. A **motion** was offered by Mr. Daniel Lorraine and seconded by Dr. Tommy Lasseigne to accept into the parish system East 96th Place. Mr. Daniel Lorraine offered an **amendment** to insert “*length of 170 feet and width as 10 feet*” and seconded by Dr. Tommy Lasseigne. Mr. Phillip Gouaux offered an **amendment** to insert “*if the servitude is granted by the land owners and if it meets parish standards*” and seconded by Mr. Daniel Lorraine. No one from the public wanted to speak on the proposed ordinance. The amendments **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3476 EAST 96TH PLACE

The next item (17) on the agenda was an ordinance to authorize the Parish President to sign a surface lease agreement with the Lafourche Parish School Board Office for the use of the Raceland Landfill property for a period of six (6) years with an option to renew for an additional five (5) years. A **motion** was offered by Mr. Phillip Gouaux, seconded by Dr. Tommy Lasseigne, to **defer** this item to the next meeting, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

The next item (18) on the agenda was an ordinance to amend and re-enact Section 15:26(A) of Sub-Chapter “B” of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council as it pertains to the rules and regulations governing fireworks in Lafourche Parish. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. Mr. Michael Matherne asked for clarification. Mr. Daniel Lorraine responded that it was to specify that bottle rockets are illegal in the state. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3477 TO AMEND AND RE-ENACT, RULES AND REGULATIONS GOVERNING FIREWORKS (BOTTLE ROCKETS)

The next item (19) on the agenda was an ordinance authorizing the Parish to acquire ownership of the Chackbay 101 Project from Lafourche Parish Drainage District No. 6 ; and authorizing the Parish President to sign any necessary documents. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3478 OWNERSHIP OF THE CHACKBAY 101 PROJECT

The next item (20) on the agenda was an ordinance establishing a speed limit of fifteen (15) miles per hour on East 97th Street, Ward 10, District 9 of Lafourche Parish; requiring the placement of “Speed Limit”, “Speed Checked by Radar”, and “Caution Children at Play” signs; and providing penalties for the violations thereof. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3479 15 MPH ON EAST 97TH STREET

The next item (21) on the agenda was an ordinance establishing a declaration of public policy, the Lafourche Parish Council does hereby confirm the authority of the Lafourche Parish President, the Parish Administrator and the Director of the Department of Community Services to supervise, manage and when necessary direct the Community Action Agency and its Executive Director. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of seven (7) yeas, one (1) nay, that being of Mr. Daniel Lorraine, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3480 ESTABLISHING A DECLARATION OF PUBLIC POLICY

The next item (22) on the agenda was an ordinance establishing a 35 miles per hour speed limit on all motor vehicles traveling on Martinez Road, Ward 11, District 4 of Lafourche Parish; and providing for the necessary signs and penalties. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3481 35 MPH ON MARTINEZ ROAD

The next item (23) on the agenda was an ordinance rescinding Ordinance No. 3440 and establishing a 25 miles per hour speed limit on all motor vehicles traveling on Ozia Skyline Drive, Ward 11, District 5 of Lafourche Parish; and providing for the necessary signs and penalties. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3482 RESCINDING ORDINANCE NO. 3440

The next item (24) on the agenda was an ordinance accepting into the parish system a subdivision known as the “Legendre’s Bon Vivant Subdivision”, Ward (1), District (2) of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3483 LEGENDRE’S BON VIVANT SUBDIVISION

The next item (25) on the agenda was an ordinance accepting into the parish system a subdivision known as the “Resubdivision of Tract “B” into Tracts “B-1” and “B-2” and Tract “A-1” being a Lot Extension Belonging to Carroll Dantin”, Ward (1), District (2) of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3484 RESUBDIVISION, CARROLL DANTIN

The next item (26) on the agenda was an ordinance enacting Section 15:25 of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council stating that it shall be unlawful for any

person to urinate in public, in view of the public, on the outsides of public buildings, or in any place other than in the proper facilities; and to provide for penalties thereof. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3485 UNLAWFUL FOR ANY PERSON TO URINATE IN PUBLIC

The next item (27) on the agenda was an ordinance granting authorization to the parish to clean, sweep and/or dig roadside ditches in Lafourche Parish; and providing penalties for those who interfere with said parish work. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3486 CLEAN, SWEEP AND/OR DIG ROADSIDE DITCHES

The next item (28) on the agenda was an ordinance amending and re-enacting Section 2:200(A) of Sub-Chapter "C" of Chapter 2 of the Code of Ordinances as it pertains to going to two (2) Council meetings per month, eliminating all Standing Committees. This item was **deferred** until the next meeting

The next item (29) on the agenda was an ordinance amending and re-enacting Section 24:700 of Chapter 24 of the Code of Ordinances as it pertains to creating a liaison for Lafourche Parish Water District No. 1. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Mark Atzenhoffer. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3487 CREATING A LIAISON, WATER DISTRICT NO. 1

The next item (30) on the agenda was an ordinance authorizing a lease renewal contract with the Town of Lockport for the Lockport Library and to authorize the Parish President to sign the lease renewal and any and all accompanying documentation. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Paul Chiquet, Director of the Lafourche Parish libraries, stated that the Library Board had no objections to signing a one year lease at \$1,086 a month. Mr. Daniel Lorraine asked if the libraries were still interested in getting a building or property to get out of paying rent. Mr. Chiquet said yes that they were. Dr. Tommy Lasseigne asked why the figures were different on the proposed ordinance. Discussions ensued. Mr. Phillip Gouaux stated that it must have been a typo and that the intention was monthly, not annually. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to **defer** this item to the next meeting, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

The next item (31) on the agenda was an ordinance to rescind Ordinance No. 3408 and enact a new ordinance that would allow the Lafourche Parish Public Library to accept a lease offer from the Lafourche Parish Recreation District No. 2 for a plot of land in Raceland for a period of fifty (50) years with an option to renew for an additional fifty (50) years at a sum of \$100 per year in order to construct a permanent building not to exceed \$680,000; and to authorize the signing of all pertinent documents associated with the ordinance. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3488 RESCIND ORDINANCE NO. 3408

The next item (32) on the agenda was an ordinance regulating a speed limit of 45 mph on all motor vehicles traveling on a certain section of Ridgefield Road, Ward (2), District (1) of Lafourche Parish; and providing for the necessary signs and penalties. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Michael Delatte. Mr. Tyrone Williams offered an **amendment** in Section 1 to read “*from its intersection with Talbot Avenue to the parish line ditch for approximately a distance of 3,700 feet*” and seconded by Mr. Michael Delatte. No one from the public wanted to speak on the proposed ordinance. The amendment **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3489 45 MPH ON RIDGEFIELD ROAD

The next item (33) on the agenda was an ordinance forming a Subcommittee to research the feasibility of upgrading, expanding, or building a new Detention Center for Lafourche Parish; and providing for the date of final recommendation. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Daniel Lorraine. No one from the public wanted to speak on the proposed ordinance. Mr. Michael Matherne offered an **amendment** to state *to increase board membership to thirteen and to extend final recommendation date to November 2005* and seconded by Mr. Daniel Lorraine. The amendment **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3490 FORMING A SUBCOMMITTEE, NEW DETENTION CENTER

The next item (34) on the agenda was an ordinance amending the Code of Ordinances of the Lafourche Parish Council as it pertains to the Regulations of Mobile Home Parks in Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. An **amendment** was offered by Mr. Mark Atzenhoffer to add in Section 2 on page 2, #2, “*and also including*” and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The amendment **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3491 REGULATIONS OF MOBILE HOME PARKS

The next item (35) on the agenda was an ordinance rescinding Ordinance No. 3430 that established a “No Parking Fire Lane” on the left side of Belle Terre Drive, Ward (6), District (2) of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Phillip Gouaux. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3492 RESCINDING ORDINANCE NO. 3430, BELLE TERRE DRIVE

The next item (36) on the agenda was an ordinance amending and re-enacting Section 24:925(D)(1) of Chapter 24 of the Code of Ordinances to change the definition of “hotel” on the hotel/motel tax levied by the Lafourche Parish Tourist Commission. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Phillip Gouaux. Ms. Carolyn Cheramie, Executive Director of the Tourist Commission, stated that she was present to ask for a favorable vote from the Council and to answer any questions. Dr. Tommy Lasseigne asked how much money does this tax generate. Ms. Cheramie responded with, at approximately 48 nights a year, one room with 20 properties paying taxes, the sales tax was \$2,064, the parish tax was \$2,419.20, and the occupancy tax was \$1,545.60. A brief discussion ensued. The Council **adopted** said ordinance by a vote of six (6) yeas, two (2) nays, that being of Mr. Mark Atzenhoffer and Dr. Tommy Lasseigne, and one (1) absent, that being

of Mr. Lindel Toups.

ORD. NO. 3493 HOTEL/MOTEL TAX LEVIED, TOURIST COMMISSION

The next item (37) on the agenda was an ordinance authorizing an amendment to the existing contract (Ordinance No. 2769) between Lafourche Parish and River Birch, Incorporated, amending the gate fee to the rate of twenty-four dollars (\$24.00) per ton, which said rate shall be adjusted annually on the contract anniversary date by the consumer price index specified in the contract, the term to begin on August 1, 2004 and terminate on July 31, 2009, with an option to renew for an additional five (5) years; and authorizing the Parish President to sign said amendment. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3494 EXISTING CONTRACT, RIVER BIRCH

The next item (38) on the agenda was an ordinance amending the Code of Ordinances of the Lafourche Parish Council to standardize the organizational structure of local agencies and certain special districts that have boards or committees. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Michael Matherne. No one from the public wanted to speak on the proposed ordinance. The Council **adopted** said ordinance by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

ORD. NO. 3495 STANDARDIZE THE ORGANIZATIONAL STRUCTURE

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and **carried** to **close the Public Hearing** at 7:13 p.m.

ORDINANCES FOR INTRODUCTION

The next item (39) on the agenda was a proposed ordinance forming a Subcommittee to rewrite the Code of Ordinances for the Lafourche Parish Council; and further providing for the date of final recommendation. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE FORMING A SUBCOMMITTEE,
REWRITE THE CODE OF ORDINANCES**

The next item (40) on the agenda was a proposed ordinance authorizing the Parish President to execute, administer, and sign an agreement with the Lafourche Parish School Board and a Cooperative Agreement with the Lafourche Parish Sheriff's Office for the use of the Raceland Landfill Property. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE RACELAND LANDFILL PROPERTY

The next item (41) on the agenda was a proposed ordinance authorizing Change Orders on the existing contract (Ordinance No. 2625) between Lafourche Parish and Solid Waste Disposal, Inc., LLC, extending the existing contract to December 31, 2004; and authorizing the Parish President to sign said Change Orders. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE CHANGE ORDERS, SWDI

The next item (42) on the agenda was a proposed ordinance amending Ordinance No. 3468 as it pertains consolidating certain precincts in order to change the wording from "*consolidating*" to "*merging*" of certain precincts; designating polling locations therefore; and to further specify the

effective dates of same. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMENDING ORDINANCE NO. 3468

The next item (43) on the agenda was a proposed ordinance approving the issuance, sale and delivery of not exceeding \$7,335,000 of Water Revenue Refunding Bonds, Series 2004, of Water District No. 1 of the Parish of Lafourche, State of Louisiana, and other matters relating thereto. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE WATER REVENUE REFUNDING BONDS

The next item (44) on the agenda was a proposed ordinance to amend and re-enact Sub-Chapters “A” & “B” of Chapter 12 of the Code of Ordinances to reorganize the Lafourche Parish Library system. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE REORGANIZE THE LIBRARY SYSTEM

The next item (45) on the agenda was a proposed ordinance accepting the subdivision into the system known as Williams Subdivision, Ward (10) of District (9). A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE WILLIAMS SUBDIVISION

The next item (46) on the agenda was a proposed ordinance accepting the subdivision into the system known as The Place Subdivision, Ward (10) of District (8). A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE THE PLACE SUBDIVISION

The next item (47) on the agenda was a proposed ordinance declaring property belonging to the Lafourche Parish Council as surplus property. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE LPC SURPLUS PROPERTY

Next, a **motion** was offered by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, and *carried* to **open a second Public Hearing** as the Board of Review at 7:20 p.m.

SECOND PUBLIC HEARING

The next item (48) on the agenda was serving as the Board of Review, the Council to hear public comments and to protest values of property for assessment purposes fixed for the 2004 Assessment Roll by the Lafourche Parish Assessor’s Office:

a.) Affiliated Tax Consultants, Henderson, TX, proposed protests on the 2004 assessed values for the following:

- 1.) Arrowhead Enterprises
- 2.) Aspect Energy LLC
- 3.) Badger Oil Corporation
- 4.) Flash Gas & Oil Sw. Inc.
- 5.) Gulf South Operator, Inc.
- 6.) Hilcorp Energy Company
- 7.) Liberty Resources, Inc.
- 8.) LLOG Exploration Company
- 9.) Masters Resources, LLC
- 10.) St. Mary Land & Exploration Co.
- 11.) Stone Energy Corporation

- 12.) Summit Oil & Gas
- 13.) Texas Petroleum Investment Co.
- 14.) Toce Oil Co Inc.

Mr. Michael Martin, Assessor with the Lafourche Parish Assessor's Office, was present to speak. He asked if anyone was present to protest from Affiliated Tax Consultants, located in Henderson, TX. No one was present to speak from Affiliated Tax Consultants. He then handed out packets to the Council and offered them as Exhibit A, B, and C. Exhibit A was "Personal Property Renditions filed with the Assessor". Exhibit B was "2004 Assessed Values". Exhibit C was a letter dated August 27, 2004 from Affiliated Tax Consultants stating that they were protesting the proposed 2004 assessed values for the above mentioned companies numbered 1-14. The letter also stated that the protest was related to the proposed assessed value for subsurface and surface equipment on oil, gas, service wells, and any facilities associated with the wells. The letter also stated that if the Assessor is attempting to assess oil temporarily stored in production tanks prior to sale, that they were also protesting that action. The letter stated that the assessment was prohibited by the Louisiana Constitution of 1974, art. 7, sec. 4(B). Mr. Martin asked that the Council deny the protest and uphold the value of the Assessor's Office.

Next, a **motion** was offered by Mr. Michael Matherne, seconded by Dr. Tommy Lasseigne, and **carried** by a vote of six (6) yeas, zero (0) nays, two (2) abstained, that being of Mr. Phillip Gouaux and Mr. Mark Atzenhoffer, and (1) absent, that being of Mr. Lindel Toups, to **close the second Public Hearing** at 7:24 p.m.

The next item (49) on the agenda was a motion to approve or deny any protests and submit results to the Louisiana Tax Commission. Mr. Mark Atzenhoffer and Mr. Phillip Gouaux recused themselves from voting on the issue. A brief discussion ensued. Mr. Martin explained the fair market value, standards, ratio studies, looking at sales, and reassessments. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Daniel Lorraine, to deny the protest, and **carried** by a vote of five (5) yeas, one (1) nay, that being of Dr. Tommy Lasseigne, two (2) abstained, that being of Mr. Phillip Gouaux and Mr. Mark Atzenhoffer, and (1) absent, that being of Mr. Lindel Toups.

RESOLUTIONS

The next item (50) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Ejay Rouse in order to construct, operate and maintain a twenty foot drainage and maintenance servitude, plus the width of the ditch, District (8); and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and **carried** to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-126 SERVITUDE AGREEMENT EJAY ROUSSE

The meeting recessed for five minutes. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne to re-enter the meeting, and **carried** by a vote of seven (7) yeas, zero (0) nays, one (1) absent from the meeting room, that being of Mr. Michael Matherne, and one (1) absent, that being of Mr. Lindel Toups.

The next item (51) on the agenda was a resolution approving contract(s) with Nationwide Marketing LTD for auctioning surplus equipment; and authorizing the Parish President to sign,

execute and administer said contract(s). A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and *carried* to adopt said resolution by a vote of seven (7) yeas, zero (0) nays, one (1) absent from the meeting room, that being of Mr. Michael Matherne, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-127 NATIONWIDE MARKETING LTD

The next item (52) on the agenda was a resolution approving the holding of an election in Water District No. 1 of the Parish of Lafourche on November 2, 2004, to authorize the renewal of a special tax therein. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. Co-Chairman Callais recognized the District Attorney, Mr. Camille Morvant. Mr. Morvant requested an opportunity to do additional research on both items 52 and 53 because it was in his opinion that they should be done in form as Ordinances instead. He then requested that the Council vote on the resolutions as they would, but to keep in mind that it may need to be redone as ordinances. A brief discussion ensued. Mr. Dirk Barrios, General Manager, Water District No. 1, spoke in reference to the millage (being the same millage that was being assessed) and it being at 3.81 mills. Dr. Tommy Lasseigne asked how much more money would be collected? Mr. Barrios responded with an estimate of \$140,000. The motion *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-128 ELECTION IN WATER DISTRICT NO. 1

The next item (53) on the agenda was a resolution approving the holding of an election in Recreation District No. 2 of the Parish of Lafourche on November 2, 2004, to authorize the renewal of a special tax therein. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine asked Mr. Danny Mayet, Recreation District No. 2 Board Member, several questions. Mr. Mayet responded that it was about ten years ago and it was a district tax. Dr. Tommy Lasseigne then asked if it was being kept at the current millage or a roll back. Mr. Mayet said he was proud to announce that it was a roll back, being eight tenths of a mill on maintenance and operations, two mills under the bond payment portion, and totaling 2.8 mills to the voters of Ward 3 and 7. He asked that the Council support the renewal of the tax. The motion *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-129 ELECTION IN RECREATION DISTRICT NO. 2

The next item (54) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to install a right-hand turning lane off of Louisiana Highway 654 when turning onto Louisiana Highway 308 and to study the timing of the light in order to allow more vehicles time to turn off of Louisiana Highway 654. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-130 DOTD, HWY 654, TURNING LANE

The next item (55) on the agenda was a resolution approving the acceptance of the addition of the listed items and approves the creation of Change Order No. 1 documenting these additions/changes for the Galliano Health Unit; and authorizing the Parish President to sign, execute and administer said Change Order and all relevant documents. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-131 GALLIANO HEALTH UNIT, CHANGE ORDER NO. 1

The next item (56) on the agenda was a resolution requesting the Administration to hire an Architect for the park project on the property located in front of the old jail; and authorizing the

Parish President to sign all relevant documents. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Michael Delatte. Mr. Cullen Curole, Parish Administrator requested a change in wording the resolution to state a professional instead of an architect. Mr. Michael Matherne offered an **amendment** to state “a design professional” instead of “an architect”. Mr. Mark Atzenhoffer seconded the amendment and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups. The motion **carried** to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-132 HIRE A DESIGN PROFESSIONAL FOR PARK PROJECT

The next item (57) on the agenda was a resolution requesting the State of Louisiana Department of Transportation and Development to begin inspecting truck stops to ensure that the proper amount of fuel that is required is actually being sold. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Mark Atzenhoffer offered an **amendment** to also send the resolution to the State Police. Mr. Phillip Gouaux seconded the amendment and **carried** by a vote of seven (7) yeas, one (1) nay, that being of Dr. Tommy Lasseigne, and one (1) absent, that being of Mr. Lindel Toups. Dr. Tommy Lasseigne stated his opinions on the issue. The motion **carried** to adopt said resolution by a vote of seven (7) yeas, one (1) nay, that being of Dr. Tommy Lasseigne, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-133 DOTD, TRUCK STOP INSPECTIONS

The next item (58) on the agenda was a resolution requesting the Governor of the State of Louisiana and the State and Congressional Delegations not spend any additional funds on the New Orleans Saints until the Coastal Erosion Projects are fully funded by the State. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine. Mr. Phillip Gouaux offered an **amendment** to state “no funds would go towards building a new stadium for the Saints”. The amendment **dies** from lack of a second. Mr. Daniel Lorraine mentioned that the Saints were to practice in Thibodaux for nine years and that they did not uphold that agreement. Mr. Mark Atzenhoffer stated that the resolution does support the Saints as a professional football team. He asked that we stop spending millions and millions of dollars on a private business and spend it on more important issues. Mr. Phillip Gouaux stated that he did some research that proved that there are positive financial impacts to the state from the Saints. He stated, in his opinion, that the resolution would be a bad move and he would not support it. Dr. Tommy Lasseigne stated that the Saints are a good economic “tool” and could help us get funding for coastal erosion projects. Mr. Mark Atzenhoffer spoke of tax incentives, new companies coming to the state, and not donating money. He then said that the state would help the company and it would also have a majority of zero taxes. Mr. Atzenhoffer stated that the Parish had paid a couple of million dollars for the Saints training facility. He also said that in five years the original \$800 million will be near a billion dollars. Mr. Atzenhoffer continued by saying that in five years the problems on the coast will be even greater and that the state could have found matching funds. The motion **failed** to adopt said resolution by a vote of three (3) yeas, that being of Mr. Michael Delatte, Mr. Mark Atzenhoffer, and Mr. Daniel Lorraine; five (5) nays, that being of Mr. Tyrone Williams, Mr. Michael Matherne, Dr. Tommy Lasseigne, Mr. Phillip Gouaux, and Mr. Brent Callais, and one (1) absent, that being of Mr. Lindel Toups.

RESOLUTION FAILED

The next item (59) on the agenda was a resolution approving the attached Basic Intergovernmental and Cooperative Endeavor Agreements to be tailored individually to the Larose Civic Center, Cut Off Youth Center, Galliano Centroplex, Vacherie/Gheens Community Center, Holy Savior Catholic School, Oakridge Park and Schneider Park facilities; and authorizing the Parish

President to sign, execute and administer said agreement(s) and all associated documents. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Tyrone Williams. Mr. Daniel Lorraine asked the Parish President why Holy Rosary from Larose was not included. President Randolph stated that the resolution pertained only to the schools that have a current agreement for a recreation program and that Holy Rosary does not have such a program. The motion *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-134 RECREATION FACILITIES, BASIC INTERGOVERNMENTAL AND COOPERATIVE ENDEAVOR AGREEMENTS

The next item (60) on the agenda was a resolution approving the attached Basic Cooperative Endeavor Agreements to be tailored individually to each entity noted for purposes of implementing the Lafourche on the Move Program; and authorizing the Parish President to sign, execute and administer said agreement(s) and all associated documents. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-135 LAFOURCHE ON THE MOVE DISTRICTS, BASIC COOPERATIVE ENDEAVOR AGREEMENTS

The next item (61) on the agenda was a resolution ratifying a contract with Standard Insurance Company for short term disability and long term disability insurance coverage for full-time employees of Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer said contract(s). A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-136 SHORT AND LONG TERM DISABILITY

The next item (62) on the agenda was a resolution supporting the Lafourche Parish Drainage District No. 1 Lafourche Parish West Cut Off Drainage Project. A **motion** was offered by Mr. Daniel Lorraine, seconded by Mr. Phillip Gouaux, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-137 SUPPORT DRAINAGE DISTRICT NO. 1

The next item (63) on the agenda was a resolution approving the acceptance of the lowest bid of \$405,870.66 for an addition to the Edgar Guidry Pump Station and approving contract(s) for said construction; and authorizing the Parish President to sign, execute and administer said contracts and all relevant documents. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. Mr. Mark Atzenhoffer asked the Administration for clarification on what other projects were looked at to determine this one to be the most important project to be top priority in Lafourche Parish. President Randolph stated that it was somewhat of a trick question because there are existing projects that were ongoing since she took office that do not have a dollar value. Mr. Atzenhoffer rephrased his question to ask how was it determined that the two pumps were to be placed at Edgar Guidry as opposed to Mr. Michael Delatte's area where he is having trouble or over every other pump station that could have benefitted from being upgraded. President Randolph stated that simultaneously there are two pumps being placed at Fantastic Acres and another in Gheens. She mentioned some other ongoing projects and looking at capital outlay projects that are due November 1st. President Randolph stated that she could not answer how first or last, but there have been ongoing projects since day one, and that none have a greater value than the other because the Administration considers Lafourche as "one". Mr. Atzenhoffer then asked at what level was the reservoir maintained. Mr. Phillip Gouaux responded to Mr. Atzenhoffer's first question by stating that the North Lafourche Levee District was planning to put a rain levee around Larose. He stated

that there are five pumps that currently pump from Valentine to Larose and the rain levee was proposed to extend north from the Intracoastal (about two miles) which would leave the rest of the area being pumped by two pumps. Mr. Gouaux went into further details of the pumps and the area it would assist. There were several more questions and each had discussions. Discussions were held pertaining to the level that the reservoirs are maintained, houses that flooded during the recent heavy rains, and areas that should also be upgraded. Mr. Curole said that Mr. Ray Cheramie stated that the area is pumped at a negative four. He also said in regards to the process that the Administration also received an opinion from the District Attorney and it basically stated that the process was followed by the Administration. The motion *failed* to adopt said resolution by a vote of four (4) yeas, that being of Mr. Michael Delatte, Mr. Michael Matherne, Mr. Phillip Gouaux, and Mr. Brent Callais, four (4) nays, that being of Mr. Tyrone Williams, Dr. Tommy Lasseigne, Mr. Mark Atzenhoffer, and Mr. Daniel Lorraine, and one (1) absent, that being of Mr. Lindel Toups.

RESOLUTION FAILED

The next item (64) on the agenda was a resolution to change providers of the Lafourche Parish Council Deferred Compensation Program from Prudential Retirement Investments Company to the Security Benefit Group; and does hereby authorize the parish President to execute all documents necessary to transfer assets from all previous Lafourche Parish Council Deferred Compensation Program providers to the Security Benefit Group. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Michael Delatte, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-138 DEFERRED COMPENSATION PROGRAM

The next item (65) on the agenda was a resolution approving the acceptance of the lowest bid of \$188,800 for the repair and replacement of the roof at the Barrios Center and Health Unit Building in Raceland and approving contract(s) for said construction; and authorizing the Parish President to sign, execute and administer said contracts and all relevant documents. A **motion** was offered by Mr. Phillip Gouaux, seconded by Dr. Tommy Lasseigne, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-139 BARRIOS BUILDING ROOF

The next item (66) on the agenda was a resolution approving the acceptance of the lowest Base Bid, Alternate No. 1 and 3, totaling \$239,050, for the repair and replacement of the roof at the Lafourche Parish Courthouse and approving contract(s) for said construction; and authorizing the Parish President to sign, execute and administer said contracts and all relevant documents. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Tyrone Williams, and *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-140 COURTHOUSE ROOF

The next item (67) on the agenda was a resolution approving the attached Professional Services Proposal; authorizing and approving a contract for professional services with Ledet Management Consulting to provide consultation and services outlined in the attached proposal in amounts not to exceed those noted in said proposal; and authorizing the Parish President so sign, execute and administer said agreement(s) and all associated documents. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Tyrone Williams. Dr. Tommy Lasseigne asked why the Human Resources department could not handle this issue in-house. President Randolph offered an explanation that the firm would be hired to look into the policy, the federally mandated changes in overtime procedures, and other aspects. She then stated that the Human Resources department does not have a Director, only a Manager and an assistant. The firm would come in and set policies for

the future as well as address the overtime changes. Dr. Tommy Lasseigne asked for better clarification. President Randolph then said that the Human Resource department would not have time to create a new policy manual and to address the federally mandated overtime regulations that are now in affect. Mr. Cullen Curole added that the Administration would be confident in hiring a professional consultant to come in and re-do the policy manual that is given to newly hired employees. The motion *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-141 LEDET MANAGEMENT CONSULTING AGREEMENT

The next item (68) on the agenda was a resolution approving and ratifying the signatory of the various Parish Representatives included on the attached list of contracts copies and included as an attachment to this resolution and that this ratification should remove any doubt as to the validity of aid contracts between the parties and in the eyes of the public; and authorizing the Parish President to execute and administer said agreement(s) and all associated documents. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine asked about the date that was on a letter that was received from the District Attorney stating that all contracts have to be approved by the Council. A brief discussion ensued about engineering firms, how and why they were hired, and of their qualifications. The motion *carried* to adopt said resolution by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-142 CONTRACTS, RATIFICATION

The next item (69) on the agenda was a resolution authorizing the Parish President to enter into a Cooperative Endeavor Agreement with Nicholls State University in order to conduct a study on Lafourche Parish millages and taxes at a cost not to exceed \$2,500; and authorizing the Parish President to sign all relevant documents. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Matherne. Mr. Phillip Gouaux offered information from a letter that was received from Dr. Coats, whom is in charge of this study. The letter described some of the items that would be put together for the Council and that the funding will go to the department at NSU and not directly to him. Mr. Daniel Lorraine asked about the time frame needed for the study. Mr. Gouaux stated that the letter clarified that the final report would be completed and delivered by December 10th. The motion *carried* to adopt said resolution by a vote of seven (7) yeas, one (1) nay, that being of Mr. Daniel Lorraine, and one (1) absent, that being of Mr. Lindel Toups.

RES NO. 04-143 NSU AGREEMENT, MILLAGES AND TAXES STUDY

DISCUSSIONS

The next item (70) on the agenda was a discussion concerning the Solid Waste Subcommittee's recommendation regarding Requests for Proposals from qualifying solid waste collection companies. Mr. Phillip Gouaux offered a **motion** that the proposals be turned in by next Thursday (no later than 10:00 a.m.) to the Administration office addressed to the Parish President. Mr. Michael Delatte seconded the motion. Mr. Gouaux stated that he did not see any problems with the time frame because the companies had received the packets several months ago. A brief discussion ensued. The motion *carried* by a vote of six (6) yeas, zero (0) nays, one (1) abstained, that being of Mr. Daniel Lorraine, one (1) absent from the meeting room, that being of Mr. Michael Matherne, and one (1) absent, that being of Mr. Lindel Toups.

The next item (71) on the agenda was a discussion concerning the Solid Waste Subcommittee's recommendation regarding the economics and legal issues of commercial tipping fees paid by the Parish. Mr. Phillip Gouaux stated that the Subcommittee made a motion that the Council go to the District Attorney to ask for a legal opinion as to whether or not if the supplemental

commercial tipping fee could be continued. Mr. Gouaux offered a **motion** to put this item in form of a resolution to ask the District Attorney's opinion about the legalities; and was seconded by Mr. Michael Delatte. A brief discussion ensued. Mr. Gouaux stated that the commercial tipping fees costs were over \$700,000 at the end of 2003 and the Solid Waste account can not support it too much longer. The motion *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Lindel Toups.

RES. NO. 04-144 COMMERCIAL TIPPING FEES

The next item (72) on the agenda was a discussion concerning receiving monthly reports on the Veteran's Memorial District funds. Mr. Daniel Lorraine asked for a monthly report of what is being spent and what was done, so he can present the information to the board members. Ms. Shannon Chiasson, Finance Director, stated that she gave a break down of bills that were coming in and being paid through the general funds a couple of months ago.

The next item (73) on the agenda was a discussion concerning bids received to purchase three (3) trucks. Mr. Daniel Lorraine stated that he received complaints on the bids that were done for the three trucks a couple of months ago. He then stated that he got with the Administration and the decision was to throw out the previous bids and to re-bid.

The next item (74) on the agenda was a discussion concerning Road Sales Tax Districts 3, 5 & 6. This item was *deferred* to the next Lafourche Parish Council meeting.

The next item (75) on the agenda was a discussion concerning an update from the Administration regarding the \$400,000 that was allocated for technology. Mr. Brent Callais stated that Ms. Shannon gave an update in her presentation.

The next item (76) on the agenda was a discussion concerning the Subdivision Regulation Subcommittee. Mr. Brent Callais stated that the subcommittee was formed about three months ago and that Mr. Tyrone Williams and Mr. Michael Matherne were the only two Councilmen who needed to turn in their nomination for appointment.

MOTIONS

The next item (77) on the agenda was a motion requesting updated board list members and requesting all boards and board members ensure compliance of by-laws and all state and local laws. Mr. Phillip Gouaux stated that this item would basically allow the Council to send a letter to the members requesting that they give updated information, which would insure that they are legally seated. 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 with one (1) absent, that being of Mr. Lindel Toups.

The next item (78) on the agenda was a motion requesting the Administration to provide a daily log of Department of Public Works equipment usage parish wide to each Council Member via email beginning January 2005. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine. Mr. Atzenhoffer offered an **amendment** to state "*weekly*" and not "*daily*" and seconded by Mr. Lorraine. Discussions ensued. The amendment *carried* by a vote of six (6) yeas, two (2) nays, that being of Mr. Phillip Gouaux and Mr. Michael Matherne, and with one (1) absent, that being of Mr. Lindel Toups. The motion *carried* by a vote of six (6) yeas, two (2) nays, that being of Mr. Phillip Gouaux and Mr. Michael Matherne, and with one (1) absent, that being of Mr. Lindel Toups.

The next item (79) on the agenda was a motion requesting the Administration to provide a weekly log of Department of Public Works plan of action for the upcoming week to each Council Member via email every Thursday afternoon. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Dr. Tommy Lasseigne. Mr. Brent Callais made a comment that in the past that the barn

foreman would submit a sheet on Thursdays, at the end of the week, making the Councilman aware of the upcoming projects. Dr. Tommy Lasseigne offered an **amendment** to state “*at the beginning of 2005*”, seconded by Mr. Daniel Lorraine, and **carried** by a vote of six (6) yeas, two (2) nays, that being of Mr. Phillip Gouaux and Mr. Michael Matherne, and with one (1) absent, that being of Mr. Lindel Toups. The motion **carried** by a vote of six (6) yeas, two (2) nays, that being of Mr. Phillip Gouaux and Mr. Michael Matherne, and with one (1) absent, that being of Mr. Lindel Toups.

MONTHLY ENGINEERING REPORT

The next item (80) on the agenda was a presentation of planned, presently ongoing, recently completed or other projects by appropriate engineering firms engaged by the Parish. Hearing none, Co-Chairman Callais moved to the next item.

LEGAL ADVISOR REPORT

The next item (81) on the agenda was a motion to relinquish time to the Lafourche Parish Legal Advisor. The Lafourche Parish Legal Advisor was not present at the time.

PUBLIC WISHING TO ADDRESS THE COUNCIL

Co-Chairman Callais announced that the next item (82) on the agenda was the Public wishing to address the council. Mr. Keith Poche, 403 Holiday Dr., addressed the Council regarding speeding on Holiday Drive located in Thibodaux. Mr. Poche stated that he lived in the Country Club in Thibodaux for about twenty years. He said that he has been having problems with vehicles speeding down the street. He said that Holiday Drive was a “thru-way” from Country Club Blvd. to Percy Brown. Mr. Poche said that there was a stop sign that was placed, but it was removed by an ordinance. Dr. Tommy Lasseigne stated that he sat with an officer, monitored the traffic on three different days, and not one car of 318 went over 40 mph. Mr. Daniel Lorraine suggested to Mr. Poche that he be present at the next Committee meeting because the Sheriff will be there because of an updated ordinance. President Randolph stated that the Administration is working with other people who have used an ordinance for speed bumps and is awaiting more information. Mr. Poche stated that the stop sign did help to control speeding and that the community does not want the liability of the speed bumps.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, to enter into the Two Third Agenda at 8:51 p.m., and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

TWO THIRD AGENDA

PRESENTATION

The first item (1) on the agenda was a presentation by McGlinches Stafford PLLC regarding bond issues. Mr. Michael Matherne stated that McGlinches Stafford requested that this presentation be **deferred** to the next Finance and Legislative Committee meeting.

PROPOSED ORDINANCES

The next item (2) on the agenda was a proposed ordinance approving the issuance, sale and delivery of not exceeding \$7,335,000 of Water Revenue Refunding Bonds, Series 2004, of Water District No. 1 of the Parish of Lafourche, State of Louisiana, and other matters relating thereto. A **motion** was offered by Mr. Mark Atzenhoffer.

PROPOSED ORDINANCE WATER REVENUE REFUNDING BONDS

The next item (3) on the agenda was a proposed ordinance prohibiting “dumping” on Ridgeway Street, Hyland Street, Carol Street, Plymouth Street, Park Avenue, Line Street, and Waverly Road, District 1 of Lafourche Parish; requiring the placement of signs; and providing penalties for violations. A **motion** was offered by Mr. Tyrone Williams.

PROPOSED ORDINANCE PROHIBITING “DUMPING”

The next item (4) on the agenda was a proposed ordinance prohibiting “loitering” on Paula Drive, Karla Drive, Frederich Drive and Amanda Drive, Ward (2), District (1); requiring the placement of signs; and providing penalties for violations. A **motion** was offered by Mr. Tyrone Williams.

PROPOSED ORDINANCE PROHIBITING “LOITERING”

RESOLUTIONS

The next item (5) on the agenda was a resolution requesting the Lafourche Parish District Attorney to approve the hiring of Mr. Lloyd Bourgeois to defend the Parish regarding the lawsuit entitled, “Clarence Lawson v. Lafourche Parish Council, at a rate of \$125.00 per hour. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Phillip Gouaux, and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

RES. NO. 04-145 HIRING OF MR. LLOYD BOURGEOIS, CLARENCE LAWSON

The next item (6) on the agenda was a resolution approving Intergovernmental Agreements with Lafourche Parish Drainage District No. 1 for use of their equipment by the Parish; and authorizing the Parish President to sign, execute and administer said agreements. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine offered an **amendment** to add a “Bobcat” in this resolution, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups. The original motion **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

RES. NO. 04-146 INTERGOVERNMENTAL AGREEMENTS, DRAINAGE DISTRICT NO. 1

The next item (7) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Claude P. Defelice and Bonnie Galliano Defelice in order to construct, operate and maintain a fifteen foot drainage and maintenance servitude, plus the width of the ditch, in the Valentine Community, District (7); and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux, seconded by Dr. Tommy Lasseigne, and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

RES. NO. 04-147 SERVITUDE AGREEMENT, CLAUDE P. DEFELICE AND BONNIE GALLIANO DEFELICE

The next item (8) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Howard Tilman Muirhead and Linda Rodrigue Muirhead in order to construct,

operate and maintain a thirty foot by one hundred foot school bus turnaround on the end of St. Ann Street, District (5); and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

RES. NO. 04-148 SERVITUDE AGREEMENT, HOWARD TILMAN MUIRHEAD AND LINDA RODRIGUE MUIRHEAD

The next item (9) on the agenda was a resolution requesting approval for the Lafourche Parish Government to enter into a contract with Sternfels Insurance Agency to renew the annual Workers Compensation Policy; and authorizing the Parish President to sign, execute and administer said contract and all relevant documents. 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 with one (1) absent, that being of Mr. Lindel Toups.

RES. NO. 04-149 STERNFELS INSURANCE AGENCY

MOTIONS

The next item (10) on the agenda was a motion to submit Kleinpeter Estates, Phase 2, 22 lots, Preliminary, Ward 2, District 4, to be presented before the September 30, 2004 Planning Commission meeting. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

The next item (11) on the agenda was a motion to request the Administration to begin informal negotiations with Time Warner Cable regarding the cable franchise agreement in regards to the taping and playing of the Council meetings. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Michael Matherne offered an **amendment** to include “*Charter*”, seconded by Mr. Daniel Lorraine, and **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups. The motion **carried** by a vote of eight (8) yeas, zero (0) nays, and with one (1) absent, that being of Mr. Lindel Toups.

PUBLIC TO ADDRESS THE COUNCIL

The next item (12) on the agenda was Mr. Richard Racki to address the Council regarding the parish digging a ditch on his property located at 18646 Highway 3235 without his approval. Mr. Racki said he was living at this address since 1994 and this digging was done in 1996. He requested to see the paperwork that would have been signed to show his approval of digging the ditch. Mr. Racki handed out copies of some prints to show exactly what he was cut out of on his property. He stated that he lost 2 ½ acres on 4,800 feet and that he would reclaim his property by filling in the ditch if he did not get any help from the Parish. Mr. Racki said that he was being held back in developing his property with this situation. Mr. Daniel Lorraine stated that he has been trying to get some help and that he even sent numerous letters to the President. Mr. Ray Cheramie stated that it was his opinion that there is a property dispute between Mr. Racki and his neighbor and that he would need legal clarification of the property line before anything could be considered. Mr. Racki stated that the ditch was dug according with the fence and that it was not surveyed. Discussions continued. Co-Chairman Callais requested that Mr. Cheramie meet with Mr. Racki, and Mr. Lorraine and himself will also.

The next person to address the Council was Mr. Cecil Watts. Mr. Watts stated that he was there since February, March, April, May,and will continue to come forth to speak about the same thing. He said that the one mill tax was passed for the War Memorial and to get the Veteran's transportation to New Orleans. Mr. Watts said that one mill equals \$2 million. He spoke of a call that was voted on for Veterans or Non-Veterans and that the Veterans, the (two) American Legions, and the VFW should not be using the money at their discretion. He continued by stating his opinions. Co-Chairman Callais mentioned that Ordinance 2403 stated that no one person can address the Council on the same matter more than twice and to take his complaints to the next Veteran's Subcommittee meeting.

ADJOURN

On **motion** by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, and with no further business, the Lafourche Parish Council Meeting of September 28, 2004 **adjourned** at 9:17 p.m.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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