

OCTOBER 11, 2005  
RACELAND, LOUISIANA

STATE OF LOUISIANA  
PARISH LAFOURCHE

A REGULAR MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, OCTOBER 11, 2005, AT 6:00 P.M., AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HIGHWAY 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Mr. Michael Matherne, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 6:01 p.m.

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

<b>PRESENT:</b>	Mr. Tyrone Williams	Mr. Michael Delatte
	Mr. Michael Matherne, Chairman	Dr. Tommy Lasseigne
	Mr. Mark Atzenhoffer, Vice-Chair	Mr. Lindel Toups
	Mr. Phillip Gouaux	Mr. Brent Callais
	Mr. Daniel Lorraine	Ms. Charlotte Randolph, Parish President

**ABSENT:** None

**APPROVAL OF COUNCIL MINUTES**

The first item (1) on the agenda was a motion to accept the minutes of the September 27, 2005 Regular Session meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine to accept the September 27, 2005 minutes. Chairman Matherne requested that the September 27, 2005 minutes reflect that he had stated that the solution of FEMA trailers fit the problem like socks on a rooster. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

**PUBLIC WISHING TO ADDRESS THE COUNCIL**

The next item on the agenda was the Public to address the Council. Mr. Daniel Schefke addressed the Council stating that if the Constitution was looked at, that it would be seen that only FEMA workers paid on an hourly basis could receive overtime, adding that salaried employees could not be paid overtime.

Mr. Mark Atzenhoffer made a **motion** to deviate from the regular agenda to go to item (33) on the agenda, seconded by Mr. Daniel Lorraine, and **carried** by a vote of nine (9) yeas and zero (0) nays.

Item (33) on the agenda was a discussion regarding sales tax collection. Due to audio difficulties the beginning of this discussion was inaudible. Sheriff Craig Webre stated that the Sheriff's Office had no authority at the present time over the collection of sales tax. Mr. Atzenhoffer pointed out that the School Board office did not have an enforcement officer either. Sheriff Webre stated that he would have to defer that to someone at the School Board to answer, but that he believed they had auditors and that they also would hire outside counsel when needed. He added that he could not advise the Council of how many audits there had been and what enforcement was in place. Sheriff Webre stated that in Louisiana there were

approximately five (5) or six (6) Sheriff's Offices that collected sales tax. Mr. Atzenhoffer stated that there were laws regarding sales taxes that needed to be enforced, especially with the 2006 budget. He went on to say that if there was a million dollars in sales taxes to be collected that wasn't being collected, it should be collected. He thanked Sheriff Webre for the brief history he had given regarding the collection of sales taxes. Mr. Atzenhoffer stated that the Council was unaware if there were sales taxes not being collected because there was not an enforcement officer and further that he believed that the Sales Tax Commission had not met in sometime. Sheriff Webre advised that the Sales Tax Commission typically met once a year. He went on to say that the School Board would normally schedule a meeting at least once a year and added that he had attended some of the meetings and when unable to do so, he would send a representative. Sheriff Webre said that at the meeting the School Board usually had a spreadsheet listing costs and expenses incurred to collect the sales tax and that their representative would be present to answer any questions. He said that sometimes the School Board requested to adjust the percentage that they would receive as a fee to collect the sales taxes. Sheriff Webre added that any Commission member could request a meeting, so if the Parish was a member of that Commission, then they could request a meeting in order to obtain more specific inquiries, if they so wished. Mr. Atzenhoffer stated that a way to have enforcement into this matter needed to be found. He concluded by stating that if there were taxes going uncollected, once collected would help the Parish accomplish more and further that the citizens could be taxed less. Mr. Lorraine stated that every month the Council received a listing of sales tax collections for Road Sales Tax Districts, the Sheriff's collection and also Solid Waste, and further that it seemed to equal out and that the Parish was receiving the taxes fairly well. He stated that the Parish was doing fine as far as collecting sales taxes, and added that the collected sales taxes would probably increase in 2005. Mr. Lorraine added that Lafourche Parish was in a lot better shape than some other parishes. Sheriff Webre stated that certainly Lafourche Parish had citizens who supplied goods and purchased goods and that he thought that would stay stable. He stated that he thought the biggest challenge to be collection of sales tax on internet sales, which he stated he thought Congress was addressing on a national level. Mr. Atzenhoffer stated that everything costs more, therefore the sales taxes collected should have increased. He stated that he was aware that when the company he was employed by wrote a check to Lafourche Parish for the sales taxes collected for goods sold in Lafourche Parish, that the amount had increased because the costs of goods had risen. He stated that the Parish should be seeing a larger increase than what was being seen, and further that there was some taxes not being collected and that it needed to be found out where they were being missed. Mr. Lorraine reminded Mr. Atzenhoffer that there were individuals who were tax-exempt and further that if they were not tax exempt, a larger amount of sales taxes would be collected.

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

### **PROCLAMATIONS**

The next item (2) on the agenda was a Proclamation declaring October 2005 as Dyslexia Awareness Month. Mr. Matherne then read from the proclamation and stated that the proclamation would be mailed to the associated agencies.

### **PRESENTATIONS**

The next item on the agenda was presentations. President Randolph read her 2006 budget message while a slide presentation of the same was shown.

### **2006 Budget Presentation Speech**

*Charlotte Randolph*

Gentlemen, tonight we present the proposed 2006 Operating Budget together with the 2006 Capital Budget. The preparation of this budget has been a collaborative effort between Sheriff's Office, the District Attorneys Office, the Judges, the Health Unit, our staff and Administration. With this collaboration, the Administration has compiled, reviewed and prepared a \$54,650,926 budget proposal for 2006. This compares with an initial 2005 Budget of \$51,896,716.

The \$54,650,926 amount reflects a small increase over 2005 including \$11,000,801 in road projects not listed in the 2005 figure and an estimated \$3,158,281 in rollover dollars from 2005 projects that are still under construction or have not yet been constructed and we estimate another \$574,000 in 2005 expenditures that will go unspent.

If not for the road projects and rollovers, the budget would be significantly smaller and seen as returning to levels closer to the 2000-2003 budget years or just under 40 Million

General Sales Tax and ad valorem tax bring eleven million two hundred eighty dollars (\$11,280,000) and nine million two hundred ninety four thousand four hundred twenty two dollars (\$9,294,422) respectively. These amounts combined with finding from grants, state revenue sharing, fees, licenses, permits and other sources, bring the total expected revenue to thirty five million one hundred six thousand fourteen dollars (\$35,160,014).

The remaining \$ 19,537,422 represents the projects being carried over from the 2005 budget, unspent 2005 expenditures, road bond moneys to be used and the use of \$4.Million of fund balances.

Fund Balances have been used in 2004 and 2005 to enhance services, to address neglected maintenance work and repairs and to construct new capital outlay projects to improve our infrastructure. Notice the following short list of project improvements made possible by the use of fund balances available at the beginning of the term. In public works alone, in 2005 we have cleared 47 outfall canals, recapped and repaired 12 levees totaling 7 miles of tidal protection levees, and added 4 pumps to existing pump stations.

Next we have prepared charts that summarize Fund Balances and Fund Balance usage:

The general fund accounts for all revenues and expenditures not accounted for in other specialized or dedicated funds. This fund receives revenue from a wide variety of sources including taxes, licenses and permits, and intergovernmental grants just to name a few and funds a wide variety of activities throughout the parish including aspects of the Sheriff's Office, the District Attorney's Office, City Court and the District Court.

An alimony tax supports the General Fund. The tax was constitutionally created, but this revenue base has been eroded over time with the rolling back of millages after each new assessments. Rolling back assessments resulted in a flat revenue source that strains to keep up with inflation, the costs of unfunded mandates and a broadening spectrum of public services.

Note that anticipated revenues for 2006 more generally reflect the 2003 general fund totals. Like many other parish funds, General Fund dollars have been supplemented by a Franchise Fee and from Royalty Funds. In 2006, the \$500,000 Solid Waste Franchise Fee is eliminated and for the second year there are no Royalty Funds being used to supplement General Fund expenditures. In fact the General Fund is transferring \$600,000 to Drainage Fund to help fund Drainage operations.

Our workforce has increased over the last two years to better address the needs of a growing parish.

#### Royalty Fund

The Royalty Fund helps to support a variety of projects and programs including Drainage and Roads and Bridges. This year Royalty is providing \$750,000 to the Leon Theriot Lock Project and some seed money to help protect the Larose to Golden Meadow Hurricane Protection Levee. As provided in the Bond Covenant for the \$15Million Road Bonds, the Royalty Fund is responsible for making the annual debt service payment. We are proposing that \$1,000,000 from the Royalty Fund is transferring to Drainage and \$1,150,000 to Roads and Bridges. Here you can see the amount transferred out of this fund to supplement other funds.

#### Roads and Bridges Fund

The road fund was historically one of the most important in the parish. Receiving shell, and gravel or seeing the road grader was a privilege requested by many citizens in the community. It was

the soul of the Police Jury system. Today roadwork is centered on a \$20 Million road program that is slowly materializing. Because of the past emphasis on manual labor for road maintenance, the Road and Bridges Fund has the highest salaries budget. The Road District #1 millages barely keeps up with labor and material costs and must be supplemented with Royalty funding. As overlay work is done by contractors, parish workers concentrate on street maintenance and incidental drainage issues.

#### Parks, Recreation and Public Facilities

The 2005 Budget for Parks, Recreation and Public Facilities was filled with many new projects and programs. Through the Lafourche on the Move Program, Senior Citizens Centers are conducting more exercise programs and spending less time worrying about how the light bill will be paid. The Historic Courthouse has a new roof. The Barrios Building also has a new roof and is being refinished with a new council chamber and additional office space in the rear. Many of the proposed 2005 projects will see completion in 2006. There are no new building projects proposed and a few new recreation projects included in the 2006 budget. It will take another years time and budget to complete the list of projects proposed.

#### Drainage Fund

Drainage has been the priority issue for this administration. With moneys from ad valorem taxes and supplements from the Royalty and General Fund we have improved drainage in Lafourche. Another major source of funding for these types of projects is FEMA Grants. In 2005 alone, we have worked on four major drainage projects. Nolan Toups Subdivision and West Thibodaux Drainage Projects are now complete. Work at Clovelly Road Continues and work in the Twin Oaks area should be beginning any day now. Like Buildings and Recreation, there are a few rollover projects that are likely to continue into 2006. These projects will provide improvements in parish wide drainage. But Hurricane Katrina demonstrates that a major storm can over power any parish's drainage and levee system. The four FEMA projects noted, earlier, were mitigation projects from past storms. We need to be able to step up and provide match funding when necessary when the federal government adopts a project in Lafourche. The budget has in it \$200,000 as match to some projects submitted prior to the two hurricanes. Projects were being considered for funding in the Ozia Skyline, Nolan Toups, LeBlanc Drive and West 54<sup>th</sup> Street.

What we have presented to you tonight is a very conservative budget for 2006. While Lafourche Parish was blessed when others suffered great damage as a result of Hurricanes Katrina and Rita, there are residual effects of these storms which must be considered. We anticipate that the federal government will be able to assist with some projects, but the state may have great difficulty in fulfilling its annual obligations. Thus we have prepared this budget with caution until there is more certainty about the state's financial status and the federal government's participation in some much needed projects.

We are working very closely with the state and federal government to address much needed projects, particularly in hurricane protection and flood control.

Certainly the fund that suffered the most drastic funding reduction is drainage. Drainage is and always will be this administration's top priority and is certainly the concern of the majority of Lafourche Parish's residents. In 2004 and 2005, fund balances have been used to clean out canals, catch up on drainage projects, construction improvements to levees and pumps and to purchase needed equipment. In 2006, we can no longer rely on fund balances to supplement the drainage fund; we are now relegated to using only the revenue collected through ad valorem taxes and some Royalty funds.

Under consideration are several options to raise revenue for the drainage fund, which is up for renewal in 2006. We are currently studying those options and will present them to you at a later date.

Entering 2006, we are better protected by new and improved infrastructure, more efficient with new equipment, and able to provide services to the people of Lafourche Parish.

Mr. Ray Cheramie of the Department of Public Works next presented a visual presentation and report on some the accomplishments of his department:

**Camelia Terrance Subdivision South of Highway 3107**- General maintenance of road side ditches on West Camelia Drive South of Talbot Avenue (Highway 3107)

**Thoroughbred/Supercharge Pump Station**-added an additional 24" pump at the Thoroughbred Pump Station. The old 30" pump will be relocated as there were problems being had with the pump being installed in a large culvert causing it not to perform as well as it should have been. Mr. Cheramie stated that he anticipated that with two (2) pumps the area would be the best gallons-per-minute pump station in the Parish, including South Lafourche. He said that this area should not see anymore problems with drainage. Mr. Cheramie reported that this project had been done in-house and that the pump was a new pump that had been purchased. He went on to inform the Council that upon his research, the last pump that was purchased was in the 1980's.

**Bayou Vista Drive**-ditches swept out to increase drainage. Mr. Cheramie reported that they were still reviewing the possibility of a pump in the area due to the problems being had with flow backing up from the 40 Arpent Canal.

**Eroche Outfall** -located a 1/4 of a mile north of Raceland, helps the area with severely needed drainage.

**Raceland Drainage District**-Mr. Cheramie reported that this was the drainage district that the Parish had taken over and that it was better known as the Raceland Prairie. He went on to show the latest on the long reach excavator that was purchased. Mr. Cheramie said that there was an employee that was semi-training and that he was doing a great job. He explained that there was an additional excavator being used in front of the long reach excavator, which was pulling trees so that the long reach excavator boom was not damaged.

**Reed and Dean Troups Gheens**-a large area of low land has been recapped which is used to drain into when there is severe rain which would be re-pumped when the rain stops.

**Natural Gas Pump Station**-an additional 48" pump donated by Raceland Sugars was installed and was online and performing well. He went on to report that the cover and enclosure had not been finished.

**Al Robichaux Pump Station**-was having severe problems obtaining right-of-ways from the landowners to gain access to the levees. Mr. Cheramie reported that an entrance and exit were currently being built in order that they may travel back and forth without having to bother obtaining right-of-ways.

**Forty Arpent Canal Lockport**- from Valentine to Lockport, some of the work accomplished was done by the North Lafourche Levee District marsh buggy excavator. He reported that the levee was being built up in order to prevent flooding from Lockport to Larose. Mr. Cheramie stated that in 1985 the Bayou L' Eau Bleu Levee had broken and had topped the existing levee and that they were currently building up the Forty Arpent Canal levee in order to prevent that from happening again.

**Barrios Levee Repairs**-Mr. Cheramie showed a slide evidencing the fall-in and erosion of the levee. He went on to say that after reviewing previous maps it was noted that there was an old bayou that had existed and passed where the current levee was located. He explained that sheet pile was placed in order to prevent the area from flooding.

**Allied Shipyard Larose**-Mr. Cheramie reported that this area continued to be sandbagged year after year. He went on to say that Allied Shipyard had recently given the Parish a 50' right-of-way and further that the Department of Public Works had built a levee and a crossing over the street. He then stated that when the area was sufficiently packed down enough, it would be hard surfaced.

**Eunice Allemand T-Bois Pump**-Mr. Cheramie reported that a pump that had been donated by Drainage District No. 1 had failed and had to be overhauled in-house.

**Dick Guidry Outfall Canal**-drains an area from the Airport Road to East 143<sup>rd</sup> Street.

**Johnny Callais Outfall** -will assist in the drainage of West 107<sup>th</sup>, 108<sup>th</sup>, 109<sup>th</sup> and 110<sup>th</sup>.

**Lake Long Sandbagging**-Mr. Cheramie reported that this area had incurred problems from flooding with the recent storms. He reported that some residents of the area and large number of volunteers had helped sandbag the backside of the levee. Mr. Cheramie said that in 2004 they had done a recapping of a portion of the levee and further that they were meeting with a landowner on October 12, 2005 in order to be able to recap the section that was low and needed to be sandbagged.

**Volunteers**-Mr. Cheramie reported that the levees shown in the presentation were very low and very narrow. He reported that volunteers had assisted with sandbagging. Mr. Cheramie pointed out that water tubes had also been used.

*North American Shipyard/Industrial Parkway*-Mr. Cheramie reported that they had to quickly bring in numerous yards of sand to prevent flooding and had covered the sand with plastic sheeting so that if the water came over it would not wash it away. He reported that by nightfall of the storm they had to overlay the area with another layer of sand and plastic sheeting but were able to keep the area from flooding.

*Installation of Inflatable Dams*-- Mr. Cheramie stated that these tubes had worked well. He explained that they were 50 feet long and were inflated with a two (2") inch water pump. Mr. Cheramie reported that this process was much quicker than sandbagging and further that they were looking at purchasing these water tubes.

He concluded by stating that for the last storm they had handed out and utilized 92,000 sandbags, 2,977 yards of sand and 102 of the 50' feet water tubes.

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

The next item (3) on the agenda was a status report regarding the parish server, computer system. Ms. Gretchen Folsie of the Information Technology Department next addressed the Council. President Randolph advised Ms. Folsie that Mr. Atzenhoffer had previously had questions regarding the ability to access Pictometry from his personal computer. Mr. Gouaux explained that a majority of the Councilmen had understood that they would be able to access Pictometry from home and was then told at a later date that they needed certain software and/or licenses. Ms. Folsie explained that Pictometry was a large amount of data stored on a server in Raceland. She went on to explain that the Council would have access to it if they were connected directly to the server or from home with the use of a VPN tunnel. She informed the Council that at present there were talks being had with auditors in order to find out if connectivity from home was within Pictometry's guidelines. She added that they wanted to make sure that the connection was as secure as possible. Dr. Lasseigne asked whether the Council would be able to access Pictometry, to which Ms. Folsie replied yes, but that the best and most secure way to do that needed to be found. Mr. Curole stated that some other questions that had been asked were with regards to costs and licensing issues. He went on to say that another question that had been asked was whether Pictometry could be accessed from home on a personal computer as opposed to the laptops that had been purchased by the Parish. Ms. Folsie stated that Mr. Gary Mirabeau from Pictometry had informed her that any license installed for the front-end client would have to be on a parish-owned computer. She stated that it could not be installed on personal computers. Ms. Folsie went on to say that even with Parish software, she could not install programs on a personal computer. Mr. Atzenhoffer informed Ms. Folsie that there were two (2) councilmen, one (1) being himself, who did not have a parish-owned laptop. Ms. Folsie reminded Mr. Atzenhoffer that he did have the option of ordering a laptop at any time he so wished. Mr. Atzenhoffer stated that he did not want a laptop computer and that it was a waste of taxpayer's money to purchase something he already owned. Mr. Atzenhoffer stated that it needed to be shown on the record that when the salesman sold Pictometry to the Council, he was lying through his teeth. Mr. Atzenhoffer said that they were sold a bill of goods and that bill was present but the goods were not. Ms. Folsie pointed out that the Parish had an unlimited amount of licenses and that it could be installed on as many computers as wanted but due to the nature of the license, it had to be a parish-owned computer. She went on to explain that installing it on parish-owned computers was the only way to police the information being accessed and to ensure there was virus protection and that it was continuously updated to meet Parish standards. Mr. Atzenhoffer stated that he and Mr. Gouaux had attempted to save the parish money by not purchasing lap top computers and that he would not spend money just to be able to access Pictometry from his home. Dr. Lasseigne questioned whether individuals would be able to access portions of Pictometry through the library system. Ms. Folsie said that was something that needed to be worked on, and stated that she was not sure if anyone had considered the security issues that could be incurred by allowing that type of access. Mr. Gouaux stated that he believed that matter had been covered and that Mr. Mirabeau had informed the Council that the access to the public would be limited. Due to technical difficulties the end of this conversation was inaudible.

The next item (4) on the agenda was an update regarding the contract on the spraying of grass in the canals. Mr. Ray Cheramie, Department of Public Works, began by stating that two (2) Department of Public

Works employees had taken the series of test needed but had not passed the them. He then reported that there were two (2) more Department of Public Works employees who would be taking the test Wednesday, October 19, 2005, and added that he was confident that they would pass the tests. He reported that the two (2) employees had been studying and that they were confident that they could pass the tests. Mr. Cheramie said that they had also inquired about the possibility of hiring a professional to perform aerial spraying. He went on to say that for the Parish's main outfall canals and reservoirs, aerial spraying would be the way to go. Mr. Cheramie said that Department of Public Works employees could do the spraying for the smaller canals and ditches. He stated that he thought that aerial spraying should be looked into and explained that the professional hired would have all liability and licenses needed and that they would be knowledgeable. Mr. Cheramie said that he could not give a price on the process because they were in the middle of trying to obtain competitive prices for the aerial spraying.

Chairman Matherne recognized Golden Meadow Councilman Lawrence Mounic, former Lafourche Parish Council members Mr. Joseph "Joe" Fertitta and Mr. Henry Brunet as being present.

The next item (5) on the agenda was a status report regarding the Marydale Water lines. This matter was pulled from the agenda.

The next item (6) on the agenda was an update regarding the road paving program in Council District 1. This matter was pulled from the agenda.

#### **ENGINEERING AND ARCHITECT REPORT(S)**

The next item on the agenda was a presentation of planned, presently on going, recently completed or other projects by appropriate engineering firms engaged by the Parish.

Mr. Richard Weimer with Richard Weimer Architects next reported on the status of the Animal Shelter. He reminded the Council that there were four (4) contracts for the animal shelter. Mr. Weimer said that the first contract for the office building was being built by the Louisiana Technical College at the Lafourche campus. He reported that the project was approximately 45% complete. Mr. Weimer stated that over \$42,000 had been spent on materials for the building and that the Louisiana Technical College was constructing the building at no costs to the Parish. He reported that the building was closed in, but that windows and exterior doors were not in place. Mr. Weimer said that the vinyl siding should be installed the week October 17, 2005. He went on to say that electrical work was currently being done. Mr. Weimer said that plumbing work should start the week of October 17, 2005 and also that the air conditioning and duct work should start the week of October 24, 2005. He then stated that the scheduled completion date for the project was between mid and late 2006, which would be dependent on the number of enrolled students and their qualifications. Mr. Weimer next reported on the second contract stating that the kennel building was being constructed by Sealevel Construction. He reported that the building was a 1,550 square foot building and that construction had began on April 19, 2005, and was scheduled to be completed by October 28, 2005. Mr. Weimer said the contract price was \$245,000 and further that the project was 70% complete. He said that the building was constructed, painted, the roof put in place, the heating and ventilation systems installed, and plumbing was completed. Mr. Weimer stated that they were awaiting Entergy to install electrical power to the building, which he stated had been a problem since Entergy had been and continued to be inundated with other priorities. He then reported that the electrical work was scheduled to be done for October 18, 2005. Mr. Weimer then stated that the contractor was incurring some difficulty in having the kennel partitions manufactured in Ohio. He then spoke about the third contract and stated that M&H Builders would do the finish work to the building being built by the Louisiana Technical College. He said that the company should start working on the plumbing and air conditioning work the month of October, 2005. Mr. Weimer said that once the building was brought to the site, M&H would build a ramp and steps to the building, along with

connecting the power and plumbing to the sewer system. He then said that sometime mid to late 2006, Mr. Nick Martinolich would be transporting the office building to the site.

Mr. Joseph Picciola of Picciola and Associates, Inc. presented a brief update on current engineering projects. (Attached as Exhibit 1)

### LEGAL ADVISOR REPORT

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

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

### PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (7) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision regulations for Tract A-B-C-D-A, a portion of the Bayou Oaks Company, property located in Ward 11, District 4 as was recommended by the Lafourche Parish Planning Commission at their August 25, 2005 meeting. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of nine (9) yeas and zero (0) nays.

#### **ORD. NO. 3680 PROVIDE VARIANCE FROM SUBDIVISION REGULATIONS; TRACT A-B-C-D-A, A PORTION OF BAYOU OAKS CO.**

The next item (8) on the agenda was an ordinance amending Ordinance No. 3660 to reduce the speed limit from fifteen miles per hour to ten miles per hour on East 146<sup>th</sup> Street, Ward 10, District 9; and providing for the installation of the necessary signs and penalties for violators thereof. Chairman Matherne asked once if anyone from the public wanted to speak on the proposed ordinance. Mr. Cecil Watt addressed the Council by stating that it was a State law that residential areas speed limits on streets was 25mph automatically. He went on to say that a lot of ordinances had been passed in order to get the speed limit on the street reduced to fifteen (15) mph. Mr. Watt stated that he did not understand that if drivers were not traveling fifteen (15) mph on the street at present, what made the Council believe that they would drive at ten (10) mph. He stated that he thought this ordinance to be ridiculous and further that the Council should consider taking all ten (10) mph governed streets and make them fifteen (15) mph. Chairman Matherne then asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais. Mr. Lorraine stated that this matter was not ridiculous, and further that if Mr. Watt had taken the time to view the street in question, he would have had a different view on the matter. He stated that he thought each street in the Parish should be looked at on a case-by-case basis, and that all streets could not be lumped together. Mr. Lorraine said that this matter was not being done just to do it, but rather because it needed to be done. Mr. Lorraine stated that he was asked by one (1) of his constituents to reduce the speed limit on the street to five (5) mph, but as a compromise, thought ten (10) was sufficient. The **motion carried** by a vote of nine (9) yeas and zero (0) nays.

#### **ORD. NO. 3681 AMENDING ORDINANCE NO. 3660; REDUCE SPEED LIMIT FROM 15 MPH TO 10 MPH, EAST 146<sup>TH</sup> STREET, WARD 10, DISTRICT 9**

The next item (9) on the agenda was an ordinance establishing a "No Parking-Fire Lane" on the right side of West 14<sup>th</sup> Street, Ward 10, District 8; and providing for the installation of necessary signs and penalties for violators thereof. Chairman Matherne asked once if anyone from the public wanted to speak on the proposed ordinance. Mr. Cecil Watt stated that he had previously lived on 14<sup>th</sup> Street. He asked whether the ordinance meant the north or south side of the street when it stated the right side of the street. Mr. Watts stated that the right side was restricted coming in from Louisiana Highway 1 onto 14<sup>th</sup> Street as there was only

one (1) way to go into 14<sup>th</sup> Street. He stated that currently the sign that said 14<sup>th</sup> Street was on the wrong corner. Mr. Watts said he thought that what was meant by the right side of 14<sup>th</sup> Street was the north side of 14<sup>th</sup> Street or possibly the south, as he wasn't sure. He said that there were only houses on one (1) side of the street. Chairman Matherne then asked twice if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine and **carried** by a vote of nine (9) yeas and zero (0) nays.

**ORD. NO. 3682 NO PARKING-FIRE LANE”, RIGHT SIDE OF WEST 14<sup>TH</sup> STREET, WARD 10, DISTRICT 8**

The next item (10) on the agenda was an ordinance amending Section 4:50 of Sub-Chapter “B” of Chapter 4 of the Code of Ordinances to include that fowl is prohibited to run at large. Chairman Matherne asked once if anyone from the public wanted to speak on the proposed ordinance. Mr. Cecil Watt inquired as to what was meant by fowl. He asked whether what was being spoken about was chickens, ducks and turkeys. He stated that he thought this ordinance to be silly and further that this matter should be thrown out.

Mr. Daniel Schefke next addressed the Council and stated that he had taken the time to look up the description of “fowl”, which he stated was any bird. He said that he had asked Dr. Lasseigne to drop this matter because it was senseless to waste the taxpayers time with the matter. Mr. Schefke informed the Council that if the Parish would be tending to all fowl that he wanted to apply for the job and be paid by the bird.

Mr. Joseph "Joe" Fertitta next addressed the Council and stated that he was concerned about the ducks at Nicholls State University, as he stated that visiting them was a tradition. He said that he had brought his children to see the ducks, just as everyone else in Thibodaux had done. He voiced concerns regarding having the ducks penned up.

Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Dr. Lasseigne and seconded by Mr. Mark Atzenhoffer. Dr. Lasseigne stated that he had put this matter on the agenda because the name of the ordinance was Animals and Fowls but that no where in the ordinance was there a mention of fowl. He then gave a definition of fowl as being a domestic cock, hen or chicken. He stated that was the primary definition and that was what he had in mind. He stated that the matter did not include all flying birds. Mr. Matherne stated that he agreed with Mr. Fertitta. The **motion failed** by a vote of one (1) yea, that being of Dr. Tommy Lasseigne, and eight (8) nays.

**ORDINANCE FAILED**

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

**PROPOSED ORDINANCES**

The next item (11) on the agenda was a proposed ordinance providing for a supplemental appropriation for the Lafourche parish 2005 Operation and Maintenance Budget as provided for by Article VI of the Lafourche Parish Home Rule Charter as it pertains to Morrystown Project and Civil Defense. A motion was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE SUPPLEMENTAL APPROPRIATION, 2005 OPERATION AND MAINTENANCE BUDGET, MORRISTOWN PROJECT AND CIVIL DEFENSE**

The next item (12) on the agenda was a proposed ordinance adopting the 2006 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of the Lafourche Home Rule Charter. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE ADOPT 2006 MAINTENANCE AND OPERATIONS BUDGET, LAFOURCHE PARISH COUNCIL**

Next, a motion was offered by Mr. Phillip Gouaux, and seconded by Mr. Mark Atzenhoffer, to schedule two (2) public hearings on the budgets on October 25, 2005 and November 8, 2005, with adoption of the budgets on November 22, 2005. Mr. Toups inquired as to whether the hearings would be held in the Council Chambers in the Sondra Barrios Center as a regular Council meeting. Mr. Toups suggested that one (1) of the meetings could be held in Thibodaux, one (1) in Raceland and one (1) down the Bayou. Chairman Matherne stated that the Parish was mandated to have two (2) hearings but that if Mr. Toups so wished more could be had. Mr. Mark Atzenhoffer asked at which of the meetings would the Council be allowed to offer amendments to the budget. The response to his question was inaudible. Mr. Atzenhoffer stated that if the two (2) meetings were to be held in different places an amendment needed to be offered. Chairman Matherne asked Mr. Toups if he wished to have the meetings in Raceland to which he agreed. Mr. Toups then questioned whether it was proper to amend the budget at a public hearing. Dr. Lasseigne directed Mr. Toups to Page 27 of the Lafourche Parish Home Rule Charter. He read that a proposed budget may be amended at any meeting of the Council during which a public hearing on the budget was held or at any public meeting of the Council held thereafter, provided the amendment was adopted prior to the time the budget was passed by the Council. The **motion carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (13) on the agenda was a proposed ordinance approving a servitude agreement between Andy and Brandy Loupe and the Lafourche Parish Council to operate and maintain a fifteen (15') foot plus the width of a ditch maintenance servitude of a drainage canal in the Choctaw/Kraemer area of Ward 6, District 2. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                      SERVITUDE AGREEMENT BETWEEN ANDY AND BRANDY LOUPE**

The next item (14) on the agenda was a proposed ordinance approving a servitude agreement between Eddie P. Hebert and the Lafourche Parish Council to operate and maintain a fifteen (15') foot plus the width of a ditch maintenance servitude of a drainage canal in the Choctaw/Kraemer area of Ward 6, District 2. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                      SERVITUDE AGREEMENT BETWEEN EDDIE P. HEBERT**

The next item (15) on the agenda was a proposed ordinance approving a servitude agreement between Heloise, LLC et al and the Lafourche Parish Council to clean a drainage ditch in the Valentine area of Ward 9, District 6. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                      APPROVE SERVITUDE AGREEMENT BETWEEN HELOISE, LLC ET AL**

The next item (16) on the agenda was a proposed ordinance amending Ordinance No. 3512 as it pertains to the creation of the Subdivision Regulation Subcommittee in order to extend the deadline to present their plan by ninety (90) days. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                      AMEND ORDINANCE NO. 3512, EXTEND DEADLINE BY 90 DAYS, SUBDIVISION REGULATION SUBCOMMITTEE**

The next item (17) on the agenda was a proposed ordinance establishing a twenty-five (25) miles per hour speed limit on Peltier Drive, Ward (3), District (2) of Lafourche Parish; requiring the installation of necessary signs; and providing for penalties of violators thereof. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                      ESTABLISH 25 MPH SPEED LIMIT, PELTIER DRIVE**

The next item (18) on the agenda was a proposed ordinance establishing a “Dead End” on Avenue “B” and “C” off of East 25<sup>th</sup> Street, Ward 10, District 7 and 8; requiring the installation fo necessary signs; and providing for penalties of violators thereof. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                    DEAD END ON AVENUE “B” AND “C” OFF OF EAST 25<sup>TH</sup> STREET**

The next item (19) on the agenda was a proposed ordinance rescinding Lafourche Parish Ordinance No. 3535 as it pertains to the ownership of rights the Louisiana Department of Transportation and Development may own in and to the aforesaid portion of Louisiana Highway 656 (known as Lake Long Drive) as a binding agreement between the State and Parish, due to the parish already owning said property. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE                    RESCIND ORDINANCE NO. 3535; OWNERSHIP RIGHTS LA DOTD PORTION OF LA HWY. 656**

**RESOLUTIONS**

The next item (20) on the agenda was a resolution ratifying the Parish President’s appointment of Kali Boudreaux as Secretary to the Lafourche Parish Youth Council. A **motion** was made by Mr. Lindel Touns and seconded by Mr. Mark Atzenhoffer . The motion **carried** by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-232            RATIFY APPOINTMENT OF KALI BOUDREAUX, SECRETARY TO THE LAFOURCHE PARISH YOUTH COUNCIL**

The next item (21) on the agenda was a resolution approving Change Order No. 1 to Sealevel Construction, Inc. as an increase in contract price by \$36,460.43 for Clovelly Drainage Structure; and authorizing the Parish President to sign said Change Order. A **motion** was made by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer . Mr. Atzenhoffer inquired as to why a bid cost increase was the fault of the Parish, or if the increase was the Parish’s fault to begin with. Mr. Joseph C. Picciola, II, Picciola & Associates, Inc. advised that the primary reasons for the increase in costs were due to delayed issuance of a Notice to Proceed by approximately nine (9) months, working right-of-ways agreements with the landowner, Clovelly Farms, and also having to wait on Entergy to move a pole. Mr. Picciola went on to say that contractual agreements had to be worked between Entergy and the Parish. He stated of course that there had also been the hurricanes. Mr. Picciola said that the stipulation in the contract stated that the bid could be extended only with the concurrence of Sealevel Construction, Inc. after 60 days. He went on to say that the bid had been honored and extended but that after all of the time passing an increase had been requested. Mr. Picciola pointed out that the original bid received was approximately \$43,000 lower than the next bid received, adding that the bid would still be considered the lowest bid even with the increase. He said that the only other option would be to not award the bid, and re-bid the project, which he stated would not be the thing to do at this point. The motion **carried** by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-233            APPROVE CHANGE ORDER, SEALEVEL CONSTRUCTION, INC**

The next item (22) on the agenda was a resolution approving a contract with Richard Weimer Architects for architectural services to design and oversee renovations of the exterior waterproofing and the interior plastering of the Historic Courthouse Building; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was made by Mr. Michael Matherne and seconded by Mr. Lindel Touns. Mr. Atzenhoffer asked why an architect was being used. He asked whether the project was that difficult that an architect was needed or whether the project was one that could be done in-house, saving 8% on the architect’s fee. Mr. Atzenhoffer stated that he would rather the project be done in-house and the 8% fee be saved. He explained that if this was a \$50,000 project, 8% would equal \$4,000. Mr. Callais asked if anyone was aware of how much the project would cost. Dr. Lasseigne stated \$186,000. He went on to explain that it would be \$125,000 for the waterproofing and \$60,000 for the interior work. Chairman Matherne stated

that he was not aware if anyone had been inside the courthouse lately, but that the plaster was a must. Mr. Atzenhoffer stated that could be done, but that an architect was not needed. He stated that all an architect would do would be to tell someone to plaster the wall and that the Parish would have to hire someone else to put the plaster on the wall. Mr. Atzenhoffer asked why not deal directly with the person that would be applying the plaster and save the 8% architect fee. The motion *carried* by a vote of six (6) yeas, and three (3) nays, those being of Mr. Mark Atzenhoffer, Mr. Brent Callais and Mr. Michael Delatte.

**RES. NO. 05-234 APPROVE CONTRACT, RICHARD WEIMER ARCHITECTS RENOVATIONS, HISTORIC COURTHOUSE BUILDING**

The next item (23) on the agenda was a resolution approving a contract between Phylway Construction, LLC and Lafourche Parish Council for the Morristown Community Sewerage Project, Project No. S-2003-10; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Tyrone Williams. Mr. Callais inquired as to what was the cost, to which Mr. Atzenhoffer stated \$1,146,733.72. A brief discussion continued on this matter but due to technical difficulties the discussion was inaudible. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-235 APPROVE CONTRACT, PHYLWAY CONSTRUCTION, LLC, MORRISTOWN COMMUNITY SEWERAGE PROJECT**

The next item (24) on the agenda was a resolution authorizing the second amendment of a contract between Lafourche Parish Government and Picciola and Associates, Inc. for road work on Road Sales Tax District No. 2 to include the additional streets slated for improvements; and authorizing the Parish President to sign said second contract addendum. A **motion** was made by Mr. Daniel Lorraine and seconded by Mr. Phillip Gouaux. Mr. Callais offered an **amendment** to add various streets in need of work in Council District No. 8(attached hereto as Exhibit 2), and seconded by Mr. Mark Atzenhoffer. Mr. Callais went on to explain the work that needed to be done but due to technical difficulties the discussion was inaudible. Chairman Matherne asked whether what was being done by the amendment offered by Mr. Callais was an amendment to the contract. Discussions began on whether the amendment offered was to be considered an amendment to the contract. Mr. Lorraine stated that he had made a similar amendment adding streets at an earlier Lafourche Parish Council meeting and that it had been approved. Mr. Gouaux questioned whether the work being requested was considered incidental drainage or not, explaining that he thought the Road Sales Tax only allowed for incidental drainage. Mr. Callais stated that the work being requested was incidental drainage and further stated that this was not the list that would go out to bid. Mr. Callais went on to explain the work being done but due to technical difficulties the explanation was inaudible. Mr. Toups asked whether the project would come back before the Council before money was spent on the work. Mr. Callais said that it would go out to bid and then the Council would have to approve the contract and then approve the bid. Mr. Curole then commented that a lot of the drainage work being requested was drainage work that should have been done years ago. He went on to speak further about the matter but due to technical difficulties, it was inaudible. Discussion regarding the matter continued but was also inaudible. Mr. Gouaux stated that he would also have streets that needed work that he would like to include, but that at the present time he was not able to provide the exact streets. Mr. Callais stated that the project was scheduled to go to bid in early November, 2005. Mr. Picciola stated that he had met with the Administration and that there were a few things that had been added in and that 90% of the list was completed. He stated that they were expecting a bid date in November, 2005 and an advertisement date at the end of October, 2005. Mr. Picciola stated that it all depended on how much work was involved with regards to the streets listed in Mr. Callais' amendment. Mr. Picciola stated that this was the first time he had seen the list of streets and that he needed to review the matter more in order to get a full scope of the work being requested before going out for bid. Mr. Gouaux questioned whether he would have enough time to submit the incidental drainage work he needed done in his district, to which Mr. Picciola stated that he could have as much time as he wanted, but that he should keep in mind that it would keep delaying the projects. Mr. Picciola stated that he agreed that the listed work was incidental drainage. The

amendment *carried* by a vote of nine (9) yeas and zero (0) nays. Mr. Lorraine stated that he had already submitted a list of streets he needed work on, with the exception of West 179<sup>th</sup> Street, but wanted them included in this project. Mr. Daniel Lorraine made an **amendment** to add that drainage work needed to be done stating that a catch basin was need on East 123<sup>rd</sup> Street, the rear of 131<sup>st</sup> needed the overlay redone, West 199<sup>th</sup> Street needed a catch basin on the north side of the street and also West 179<sup>th</sup> Street need catch basins on both sides of the street with culverts crossing the street, seconded by Mr. Mark Atzenhoffer and *carried* by a vote of nine (9) yeas and zero (0) nays. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-236 SECOND AMENDMENT, PICCIOLA & ASSOCIATES, INC., RSTD NO. 2**

The next item (25) on the agenda was a resolution approving Change Order No. 1 to L. L. & G. Construction, Inc. as an increase in the contract amount by \$4,240.00 for the Gheens Pump Station - proposed addition of 48" pump; and authorizing the Parish President to sign said change order. A **motion** was made by Mr. Lindel Toups and seconded by Mr. Mark Atzenhoffer. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-237 CHANGE ORDER, L. L. & G. CONSTRUCTION, GHEENS PUMP STATION**

The next item (26) on the agenda was a resolution approving Change Order No. 2 to Byron E. Talbot Contractor, Inc. as a decrease in the contract amount by \$14.80 and a change of material quantities to reflect the actual quantities installed for FEMA-Hazard Mitigation Grant Project-West Thibodaux Drainage Improvements; and authorizing the Parish President to sign said change order. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-238 APPROVE CHANGE ORDER, BYRON E. TALBOT CONTRACTOR, INC., WEST THIBODAUX DRAINAGE IMPROVEMENTS**

The next item (27) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not the Council can amend a contract when presented for ratification. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-239 OPINION FROM DISTRICT ATTORNEY, AMEND A CONTRACT**

The next item (28) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not zoning can be applied to parts of the parish and not effect the parish as a whole. A **motion** was made by Mr. Mark Atzenhoffer, and seconded by Dr. Tommy Lasseigne. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-240 OPINION FROM DISTRICT ATTORNEY, WHETHER OR NOT ZONING CAN BE APPLIED TO PARTS OF THE PARISH**

The next item (29) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to install at least thirty-six (36") inch culverts in the road side ditches that are parallel to Louisiana Highway 3235. A **motion** was made by Mr. Brent Callais and seconded by Mr. Daniel Lorraine. Mr. Brent Callais offered an **amendment** to have the resolution read that the Louisiana Department of Transportation and Development require the installation of at least thirty-six (36") inch culverts, and seconded by Dr. Tommy Lasseigne. Mr. Callais explained that he had spoken to engineers and further that he and Mr. Ray Cheramie of the Department of Public Works had driven and reviewed the area and had agreed that thirty-six (36") inch culverts were the minimum that should be used. He stated that the culvert size currently installed was one of the major problems with the Cut Off Elementary drainage problem. Mr. Callais went on to say that there was a six (6') feet ditch with a six (6) feet box culverts located under the road and eighteen (18") inch culverts in the ditch. The amendment *carried* by a vote of nine (9) yeas, and zero (0) nays. The **motion carried** by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-241 REQUEST LA DOTD INSTALL CULVERTS IN ROAD SIDE DITCHES PARALLEL TO LOUISIANA HIGHWAY 3235**

The next item (30) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to perform a traffic study regarding the installation of a turning lane at the South Lafourche Bridge located at the intersection of Louisiana Highway 1 and 3162. A **motion** was made by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-242      REQUEST LA DOTD PERFORM TRAFFIC STUDY INSTALLATION OF TURNING LANE, SOUTH LAFOURCHE BRIDGE**

The next item (31) on the agenda was a resolution requesting the South Lafourche Levee District to assist with drainage problems on East 2<sup>nd</sup> Street, seepage on the north side of the flood gate, and the installation of a water gauge in the area of the Lockport Boat Launch. A **motion** was made by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups. Mr. Gouaux offered an **amendment** to have the resolution read “requesting the South Lafourche Levee District to assist with drainage problems on East 2<sup>nd</sup> Street, seepage on the north side of the flood gate.” ~~and the installation of a water gauge in the area of the Lockport Boat Launch;~~ and seconded by Mr. Lindel Toups. Mr. Gouaux explained that for the last three (3) to four (4) years the residents of East 2<sup>nd</sup> Street would have problems with catch basins which had valves on them when there was a tidal surge due to storms. He went on to explain that the catch basins were used to drain the area when the tide was low but that when the tide was high the catch basins did not close, causing flooding. Mr. Gouaux stated that the catch basins worked well during low tide but not so for high tide. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. The motion *carried* by a vote of nine (9) yeas, and zero (0) nays.

**RES. NO. 05-243      REQUEST SOUTH LAFOURCHE LEVEE DISTRICT ASSIST WITH DRAINAGE PROBLEMS ON EAST 2ND STREET**

#### **DISCUSSIONS**

The next item (32) on the agenda was a discussion pertaining to communications during critical events. Mr. Gouaux stated that he would recommended to the Council and the Administration that a team be put together comprised of emergency preparedness people throughout the Parish. He explained that this team could come together to find a means of acceptable communication during critical events. Mr. Gouaux explained that he had done some research on the matter and had discovered that some cell phone companies had portable trucks with bounce towers that could be brought to a location. He said that he thought it to be essential that the Parish come together and have one (1) means of communication during critical events. Mr. Gouaux stated that he would like the Administration to do research on the matter in order to see if a committee could be formulated. He went on to explain that the committee could be a permanent committee that would look at the matter on a continuing basis once a means of communications was found so that it would be updated yearly or periodically.

A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of eight (8) yeas and one (1) nays, that being of Mr. Phillip Gouaux, to *open* the Two-Thirds Agenda.

#### **TWO-THIRDS AGENDA**

The first item (1) on the two-thirds agenda was a resolution establishing guidelines for FEMA mobile homes and modular type homes to be used when the parish is affected by a storm. Mr. Brent Callais offered a **motion**, and seconded by Mr. Mark Atzenhoffer. Mr. Callais began by stating that this matter had previously been brought before the Council and had failed. He went on to explain that it was time that the Parish placed some sort of guidelines and restrictions on the matter. Mr. Callais stated that what the present resolution would do was if a resident had a home that had been destroyed by a storm, they would be able to place a modular type home in their yard while they were making repairs to their homes. He further said that the resolution only allowed FEMA trailers to be placed in established trailer parks. Mr. Callais said that new

trailer parks could not be created. He also said that there would be an emergency site where the utilities would be placed above the ground, such as in a parking lot, and would only be temporary, possibly for only a few weeks of time. Mr. Callais said that when the trailers would vacate the area the temporary utilities could be taken down. He asked the Council to support this resolution. Mr. Atzenhoffer stated that it would aid the Administration when talking to FEMA to have the backing of the Council on this matter. He stated that he had received several calls because there were a lot of rumors being spread regarding the placement of FEMA trailers. Mr. Atzenhoffer complimented Mr. Callais regarding the way the resolution had been written and said that this showed that Lafourche Parish was still the greatest parish in the state. Mr. Atzenhoffer went on to say that if a person's home was deemed unlivable, that person was wanted back in Lafourche Parish and that the Parish wanted that person to be accommodated. He added that if a person was living in Lafourche Parish, the Parish wanted to accommodate that person by situating them in an established mobile home park. Mr. Gouaux stated that he had a real problem going through with this matter at the present time because FEMA was putting trailers in trailer parks and that they were looking at other properties to establish temporary housing. He said that FEMA still had to abide by the Parish's guidelines. Mr. Gouaux asked how the Council could turn their backs on people that were in need, even though there may be some that were undesirable. He stated that the Council should put themselves in their shoes. Mr. Gouaux stated that he was concerned that the federal government and/or the state government was told about the FEMA trailer matter that they would not be appeasable when Lafourche Parish needed help. Mr. Gouaux pointed out that Grand Isle residents would be affected by this, and that even though Grand Isle was Jefferson Parish, they were like brothers and sisters. He asked what would happen to those residents? Mr. Gouaux asked what would be next, putting booths along the road and checking where individuals were from, and deciding whether they were desirable or not and whether or not as Councilmen, the Council would decide if they wanted those individuals in the Parish. Mr. Gouaux stated that zoning would not have prevented this, but that it would have dictated where the established trailers parks could have been put together. He stated that he thought the Council should think about what was being done and that there was time to make this kind of a decision, because FEMA would have to come before the Parish to allow them to put their trailers where they wanted to put them. Mr. Gouaux stated that sewerage and electricity would be needed and that would take a long time. He stated that he felt it to be wrong for the Council to say that trailers were not wanted in the area. Mr. Toups said that they were not turning their backs on people and further that he had received calls regarding the placement of FEMA trailers in his district. He said that the Parish would not be hurting the people affected because if their house was destroyed, this would let FEMA put a trailer in their yard or find them a trailer park. Mr. Toups pointed out that some owners of land were not looking out for the safety of the people because they were not concerned with how low the area was. Mr. Callais stated that if backs were being turned on the people affected by the matter, FEMA trailers would have completely been banned. He stated that this resolution was not banning FEMA trailers but rather setting up guidelines. Mr. Callais explained that having guidelines would stop pandemonium from erupting. He said that there were individuals from Mr. Lorraine's district that were moving in on Wednesday, October 12, 2005 to an established mobile home park. Mr. Callais stated that he thought this to be the best and only way to handle this matter. Mr. Curole pointed out that he did not see in the resolution where established trailer parks were mentioned. Mr. Lorraine then recalled a meeting he had attended regarding concerns over FEMA trailers. Mr. Lorraine stated that if the Council was going to keep speaking about zoning, then something should be proposed about it. He said that backs were not being turned on the individuals affected by the storms, but that they were being placed in established mobile home parks. He said that if there were vacancies, that people should be placed in them. Mr. Lorraine then questioned the number of individuals still in shelters and was advised that there were 21 in one shelter and 250 still in the Thibodaux shelter. He pointed out that would only be approximately 300 spots needed and that those spots could possibly be found through out the parish in established trailer parks. Mr. Callais offered an **amendment** to include established mobile home parks, seconded by Mr. Lindel Toups. Mr. Gouaux asked if what was being said was that no new trailer parks would be allowed after the present day. Mr. Atzenhoffer pointed out that the wording used was an established trailer park, therefore if the proper

procedures were followed a new trailer park would become established and they would be able to open the park to FEMA trailers if they so chose to. He went on to say that this resolution would not allow someone to call FEMA and tell them that they could place 600 trailers on their three (3) acre lot. Mr. Gouaux questioned what was the present criteria for FEMA? He asked whether sewerage, electricity and water were needed, because that would constitute an established trailer park. Mr. Gouaux stated that as a Parish he did not think that there were specific ways required to run the utilities and further that he felt that the Council was just spinning their wheels. Dr. Lasseigne said that he would vote for this resolution because he had come dangerously close to having them placed in the area he represented. He went on to say that there were alternatives and that everyone who had spoken against this was not against housing people, but people did not want established communities altered. Dr. Lasseigne added that maybe that this would not be a bad thing and that maybe it would be good. He stated that if there was some sort of mechanism to regulate where they would be placed that would be better. He concluded by saying that he thought that if FEMA wanted to put the trailers somewhere that they would put them anyway. The amendment *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux. Mr. Toups stated that he would be voting for this resolution because he had four (4) families in the Gheens area that had their homes destroyed, but had not qualified for FEMA. He reported that FEMA had said that they were putting trailers in a spot and that the families would have to move to that spot. He said that this resolution would give the residents of Lafourche Parish a chance to get a trailer, and that it was better for FEMA if all of the trailers were put in one area. Mr. Toups stated that he thought that this resolution would help the people of the area and that it would give them a chance to get a trailer in their yard while they were repairing their homes. He stated that he was supporting this resolution and that he hoped the Council would support it with him. Mr. Atzenhoffer said that he resented the fact that it was said that this resolution was turning backs on people, because it was not. He stated that Lafourche Parish had been the most giving parish in the State ever since Hurricane Katrina had hit. Mr. Atzenhoffer said that no one in the State had done so much for the people as Lafourche Parish. He said that the Council's responsibility was to the residents of Lafourche Parish and to protect and help other people in the parish who were in need. Mr. Atzenhoffer pointed out that by protecting, he meant that if there was an established neighborhood and FEMA was given acres behind it with carte blanche to do with it what it wanted, that it would eventually diminish the property value of the surrounding homes. He stated that this resolution allowed those people who needed a travel trailer to get one, while they performed repairs to their homes which were unlivable. Mr. Callais explained that new trailer parks would not be able to be established in the near future due to the logistics of the necessary procedures that needed to be followed, unless they had already started the ongoing process. He pointed out that the "trailers" being spoken about were travel trailers and campers, and not trailers. The resolution *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux.

**RES. NO. 05-244 ESTABLISH GUIDELINES FOR FEMA MOBILE AND MODULAR TYPE HOMES**

President Randolph stated that she would like to correct something Mr. Toups had said for informational purposes. She stated that if a person had a home destroyed in the storms that they should qualify for FEMA help. President Randolph told Mr. Toups that the people he had spoken about earlier should contact FEMA again and should qualify for individual assistance and for a trailer to be put in their yard while replacing or repairing their home. Mr. Toups said that the people he had spoken about were still trying to qualify for FEMA, but had not done so yet. President Randolph stated to let her know, because they could help.

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 *close* the Two-Thirds Agenda and *return* to the regular agenda.

The next item (33) on the agenda was a discussion sales tax collections. This matter was previously discussed by a deviation from the regular agenda.

**ADJOURNMENT**

On **motion** by Mr. Phillip Gouaux, seconded by Dr. Tommy Lasseigne, and with no further business, the Lafourche Parish Council Meeting of October 11, 2005 **adjourned** at 7:45 p.m.

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**MICHAEL MATHERNE, CHAIRMAN  
LAFOURCHE PARISH COUNCIL**

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