

NOVEMBER 9, 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, NOVEMBER 9, 2004, AT 5:30 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

The Lafourche Parish Council was duly convened as the governing authority of said Parish by Mr. Lindel Toups, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 5:30 p.m.

Chairman Toups announced that the opening prayer would be led by Council Member Michael Delatte. The Council then recited the Pledge of Allegiance led by Council Member Phillip Gouaux. Proceedings of the meeting were called to order with the following:

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

ABSENT: None

APPROVAL OF MINUTES

The first item (1) on the agenda was the approval of the minutes of the October 12, 2004, Lafourche Parish Council Regular Meeting. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais to accept the October 12, 2004 Regular Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was the approval of the minutes of the October 26, 2004, Lafourche Parish Council Special Meeting. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte to accept the October 26, 2004 Special Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

**APPROVAL OF MINUTES AND RECOMMENDATIONS OF
COMMITTEE MEETINGS**

The next item (3) on the agenda was to approve the minutes and recommendations of the August 9, 2004 and September 28, 2004 Solid Waste Subcommittee meeting. A **motion** was offered by Mr. Phillip Gouaux, Chairman of the Solid Waste Subcommittee, seconded by Mr. Brent Callais, to accept the August 9, 2004 and September 28, 2004 minutes of the Solid Waste Subcommittee meeting. The minutes were **approved** by a vote of eight (8) yeas, zero (0) nays, and one (1) abstained, that being of Mr. Daniel Lorraine.

Proceedings of the August 9, 2004 Solid Waste Subcommittee Meeting are as follows:

THE LAFOURCHE PARISH COUNCIL SOLID WASTE SUBCOMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR MONDAY, AUGUST 9, 2004, AT 5:30 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Phillip Gouaux, Chairman of the Solid Waste Subcommittee, called the meeting to order at 5:30 p.m. Proceedings of the meeting were called to order with the following:

PRESENT: Mr. Michael Delatte, Co-Chair
Mr. L. Phillip Gouaux, II - Chairman
Mr. Brent Callais
Mrs. Charlotte Randolph, Parish President
Mr. Lindel Toups, Council Chairman

ABSENT: None

Mr. Gouaux announced that Mr. Tyrone Williams and Mr. Jerome Danos were also present.

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning a contract amendment with River Birch. Mr. Gouaux stated that members of the subcommittee had been having conversations with River Birch. He said that Mr. Jerome Danos was working really hard with contracts and negotiations. Mr. Gouaux said that on Monday, August 2nd, River Birch came back to the subcommittee with a contract that was thought of as acceptable. He referenced to the original contract that was discussed with Terrebonne Parish and that the parish would have a savings of \$2.5 to \$3 million over the course of the five years, if they went with the River Birch contract. A brief discussion ensued about the amounts of money and the term of the contract. Mr. Gouaux stated that the contract was for 30 years. Mr. Lindel Toups asked to see the figures for comparison on how the parish would save money. Mr. Danos clarified how the savings were figured. Discussions continued on it being a five year contract and with the option for renewal. Mr. Phillip Gouaux stated that the first amendment to the disposal agreement for landfill between Lafourche Parish and River Birch Incorporated needed to show a change in Paragraph E, Section 10.1, on page 2, to add "*contracted by the Parish*", so that the Parish would not be locked in as "commercial waste". The section would then read, "The Gate Fee for the Solid Waste generated within the Parish, whether collected by the Parish or a Solid Waste hauler *contracted by the Parish* and delivered to the Landfill, shall be at the rate of \$24.00 per ton. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Delatte, to **amend** the contract to add the words (*contracted by the Parish*), and the amendment **carried**.

OTHER BUSINESS

The next item on the agenda was other business. Mr. Phillip Gouaux talked about commercial waste and getting out of that business to save the parish money. He also suggested enhancing the area of recycling. Discussions ensued on franchise fees and then again on the recycling. President Randolph stated that there was a plan to conduct a year long campaign in schools and civic clubs to increase participation in recycling. Mr. Gouaux asked Mr Danos about how much money was spent in tipping fees for commercial. Mr. Danos said that it is approaching \$800,000 a year. Mr. Gouaux suggested that we get a legal opinion and a ruling from the District Attorney. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Delatte, to get a legal ruling from the District Attorney, and **carried**.

Mr. Michael Delatte asked Mr Danos at the rate ,in deficit, which was being spent now, which was 7/10 %, how much money was left in the Solid Waste account. Mr Danos responded with approximately \$4 million, at the end of the year. Mr. Delatte then asked if it was possible to roll it back up to a 3/10 %, and how much would that generate. The response was, about another million a year, from Mr Danos. Further discussions ensued on rolling taxes back, evaluations, and possible solutions. Mr. Delatte asked if the recycling effort would be done, for a year, through advertisement, school education, billboards, etc.; and if there was no improvement, would the program be canceled. Mr. Brent Callais asked how much it cost to recycle. Mr Danos stated that it costs \$1 per household, with calculations, \$450,000 to \$500,000 a year is paid for recycling. Roddie Matherne stated that recycling reduces the amount of disposal going to the landfill. He gave numbers from 2002, which was at 620 tons and from 2003, which was at 649 tons. Discussions continued. Mr. Gouaux stated that this issue will be introduced as a proposed ordinance at the next full Council meeting and will be on the 2/3 Agenda. He also said that the contract will be back dated to August 1st and that the parish would receive a refund.

ADJOURNMENT

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Delatte, and with no further business, the Lafourche Parish Council Solid Waste Subcommittee of August 9, 2004, **adjourned** at 6:00 p.m.

Proceedings of the September 28, 2004 Solid Waste Subcommittee Meeting are as follows:

THE LAFOURCHE PARISH SOLID WASTE SUBCOMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, SEPTEMBER 28, 2004, (RESCHEDULED FROM SEPTEMBER 14TH), AT 5:00 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Phillip Gouaux, Chairman of the Solid Waste Subcommittee, called the meeting to order at 5:03 p.m. Proceedings of the meeting were called to order with the following:

PRESENT: Mr. Michael Delatte, Co-Chair
Mr. L. Phillip Gouaux, II - Chairman
Mr. Brent Callais

ABSENT: None

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning requests for proposals from qualifying solid waste collection companies. Mr. Phillip Gouaux stated that Mr. Jerome Danos, Solid Waste Manager, had met with the contractors that were to submit proposals. Mr. Gouaux asked Mr. Danos to state which companies had attended a briefing meeting and which ones were qualified. Mr. Danos said that three companies were interested in submitting a proposal: Waste Management, Inc.; BFI, Inc.; and SWDI, LLC. He then stated that each company had received a packet to fill out and to be submitted for the proposals. Mr. Gouaux asked if the end of next week was too soon to ask for the packets to be returned. Mr. Danos said that each company was ready to turn them in as soon as a date was set. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Brent Callais, to have the packets submitted to the office of the Lafourche Parish Administrator at 402 Green Street, Thibodaux (as requested in the packet for the bid proposals) no later than Thursday, October 7, 2004 at 10:00 a.m. With no opposition, the motion *carried* by a unanimous vote.

The next item (2) on the agenda was a discussion concerning the economics and legal issues of commercial tipping fees paid by the parish. Mr. Phillip Gouaux requested that Mr. Jerome Danos give a break down of this issue. Mr. Danos stated that there are basically two forms of commercial subsidy where commercial businesses benefit from the Parish's solid waste program. He said that the first was the residential contracts that have about 950 small commercial business units (no more than two cubic yards per pick up cycle and generally do not have dumpsters) that are serviced at an average of \$16.50 a house and approximately \$200,000 a year. Secondly, were the tipping fees or disposal charges for any commercial business outside of the City Limits of Thibodaux that rents a dumpster from one of three of the licensed haulers in the Parish that are paid for by Solid Waste. Mr. Danos stated that the amount for the tipping fees have grown (approximately \$720,000 last year) for the commercial entities. He went into historical details of how millages were collected prior to 1986 from various districts that paid for garbage disposal and the commercial businesses or residents used to pay the differences from the charges. Mr. Danos said that the Parish passed the one cent sales tax in 1986 to provide for garbage services and by 1996 it had accumulated over \$12 million in surplus. He then went on to state some changes that were made which affected the revenues and expenses. In 1996, he said that the tax was rolled back to 7/10 of the one cent sales tax to pass another half cent sales tax to fund the road pavement program. Mr. Danos stated that a reduction in the tax, the signing of a new contract (which offered some expanded services), and an increase in the franchise fees all factored in to make the expenses soon exceed the revenues. Since 1996, the expenses have continued to rise and the revenues remained the same. Now, the surplus would dwindle down to approximately \$3.7 million at the end of the year. Mr. Danos said that decisions need to be made to determine how the program would proceed into the future. He suggested looking into the expenses or to increase the revenue to meet the expenses. Discussions ensued on the process. Mr. Phillip Gouaux reminded everyone that the tax is collected only on retail sales. Mr. Daniel Lorraine said that recycling was too costly and asked Mr. Danos for a figure from start to end. Mr. Danos said it was calculated in the report to the Department of Environmental Quality (DEQ) at approximately \$400 a ton compared to \$30 a ton for landfill. Discussion ensued. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Delatte, to send this item to the full Council for approval, and *carried* with no opposition.

OTHER BUSINESS

The next item on the agenda was other business. There was no other business on the agenda.

ADJOURNMENT

On **motion** by Mr. Michael Delatte, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Solid Waste Subcommittee of September 28, 2004, **adjourned** at 5:17 p.m.

The next item (4) on the agenda was to approve the minutes and recommendations of October 26, 2004 Public Works and Solid Waste Committee meeting. A **motion** was offered by Mr. Michael Delatte, Chairman of the Public Works and Solid Waste Committee, seconded by Mr. Brent Callais, to accept the October 26, 2004 minutes of the Public Works and Solid Waste Committee meeting. The minutes were *approved* by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the October 26, 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, OCTOBER 26, 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. Michael Delatte, 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 5:40 p.m. with the following:

- PRESENT:** Mr. Tyrone Williams
Mr. Michael Delatte–Chairman
Mr. Michael Matherne
Dr. Tommy Lasseigne
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. L. Phillip Gouaux, II
Mr. Brent Callais
Mr. Daniel Lorraine
- ABSENT:** None

PUBLIC TO ADDRESS THE COMMITTEE

The first (1) item on the agenda was Mr. Myron Savoie to address the Committee regarding water issues on Fantastic Boulevard. Mr. Savoie was not present.

PUBLIC WORKS DIRECTOR’S REPORT

The next item on the agenda was the Director of Public Works report. Mr. Ray Cheramie gave updates on some of the major projects that have been completed and some that were in progress. He stated that the Leighton 80 Arpent Canal and the Fantastic Boulevard. sweep-out was completed. Mr. Cheramie reported on the drainage ditch projects that were completed: Fairfield, Leighton Pump Station Road, Louise Street, St. Bernard, Douglas Adams, Vincent Adams, and Zynn Street. He then reported on the ongoing drainage ditch projects: Parish Line, Wilson Street, and Sergian Trixillo. He reported that the Larose Levee Project (the recapping of the levee that had to be sandbagged for two days for Storm Matthew) was still ongoing. The recapping of the levee from Valentine to Ludevine was 75% completed. Other projects completed were the outfall canals: Delaune, Jim Danos, Eroy, George Loupe, Jr., Joel Comeaux West 25th, West 11th (LA 3235 to 40Arpent), and West 41st (rear then north and south on LA 3235). He reported on the outfall canals that are still ongoing: East 25th Street, and Milton Rogers. Mr. Cheramie said that there was an ongoing project of trees being pulled on East 90th at Hunter Ditch to sweep out the ditch. He stated that the project at the 40 Arpent Canal was ongoing with the South Lafourche Levee District. Mr. Cheramie said that there was an ongoing project of digging and pulling trees to clear Pointe Au Saussie so it can be swept. The sidewalks on West 134th Pl. to West 135th St. were being prepared to put the metal rods in place because all the cement has been broken and formed. The digging and clearing of Ron Pon Pon Levee Canal was ongoing. The drain pipe was installed through the levee by Michael Chiasson. Mr. Cheramie said that two major levee leaks were repaired (south side of Chackbay), two engines were changed out at Chackbay 101 Pump Station, and the Lateral Ditch (Chackbay) was re-dug. He also toured Hollywood Canal with Mr. Mark Atzenhoffer (took pictures) for the drainage project that would help the Bayou Blue residents. He stated that the levees would not need a lot of work for pumps to be installed and that the canal had more water than told. He then said that Dr. Tommy Lasseigne and himself would check out the northern part of the canal (New 90 to Thibodaux). A discussion ensued about the change out of engines at Chackbay 101. Mr. Cheramie stated that the engines that were installed in the original project did not have enough

horsepower (bogging down on pumping). Mr. Cheramie dealt with Mr. Ed Comeaux with M&L Industries, which took back the engines and replaced them with a little more horsepower for a minimal cost. Mr. Mark Atzenhoffer thanked Mr. Ray Cheramie, Mr. Terry Arabie, and Mr. Steve for going on the tour of Hollywood Canal; then showed and explained the nineteen pictures that were taken to give an idea of what was seen and what is being dealt with every time it rains. Mr. Cheramie stated that he was really impressed with the canal being somewhat clean, that some of the debris was already being cleared out, already spoke with some of the landowners to get on their property to remove some of the trees that are hanging into the water (holding the debris), and contacted the Wildlife and Fisheries to help with the clearing of the water lilies. Mr. Mark Atzenhoffer also mentioned that Mr. Ray Cheramie, Dr. Tommy Lasseigne, President Randolph, and Mr. Terry Arabie met with Terrebonne Parish in reference to the St. Louis Canal Dam to have an opening dialogue with their new Administration (Mr. Schwab, the Administrator, and the Public Works Director). A brief discussion ensued about ongoing projects.

DISCUSSIONS

The next item (2) on the agenda was a discussion concerning contractors cutting trees for Entergy and not disposing of them. Mr. Daniel Lorraine stated that the contractors that work for Entergy are cutting down trees and not disposing them (throwing them in the ditches). Mr. Lorraine asked that Entergy look into what can be done to resolve these matters. Mr. Harry Shields with Entergy suggested that Mr. Lorraine meet with him to inform him of the locations. A discussion ensued about the processes of getting the trees trimmed.

The next item (3) on the agenda was a discussion concerning Road Sales Tax Districts 3, 5 and 6. This item was *deferred*.

The next item (4) on the agenda was a discussion concerning tall grass along West 167th Street, West 148th Street, and East 152nd Street. Mr. Daniel Lorraine stated that the employee processing the grass complaints is aggressive in handling the complaints, but asked for the Administration to provide assistance to the department since there is a back log of tall grass complaints. Mr. Phillip Gouaux stated that there was an Ordinance in place that is causing the back logging.

The next item (5) on the agenda was a discussion concerning broken culverts causing drainage problems in Councilmatic District 9. Mr. Daniel Lorraine made a **motion** to authorize the Administration to take the money from the drainage funds to repair the culverts (in-house) on East 175th, West 175th, West 117th, and West 163rd. Mr. Brent Callais seconded the motion. Mr. Lindel Toups asked if the broken culverts were in driveways or in the streets. Mr. Daniel Lorraine explained that the culverts are in the drainage. A discussion ensued about saving the Parish money. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (6) on the agenda was a discussion concerning drainage regulations imposed by the parish. Mr. Brent Callais asked that the Administration and the Department of Public Works create a policy on drainage regulations by the end of the year that can be enforced and adopted by ordinance. Mr. Mark Atzenhoffer suggested that the Council address the Subdivision Regulation Committee regarding this matter. Mr. Callais said that he would attend the next meeting to discuss this matter.

RESOLUTIONS

The next item (7) on the agenda was a resolution certifying to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2004. The Administration requested that this resolution be *deferred*.

RESOLUTION WAS DEFERRED

The next item (8) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development and the Legislative Delegation concerning the raising of Louisiana Highway 24 during the up coming upgrade between Larose Bridge and the big Bayou Blue Marina. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups. Mr. Phillip Gouaux gave a briefing on the resolution stating that when the tide is high, the water comes onto the Highway and raising it would be beneficial since it is an evacuation route. The motion *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. RAISING OF LOUISIANA HIGHWAY 24

The next item (9) on the agenda was a resolution providing for the acceptance of work performed by Low Land Construction Co., Inc. in accordance with the Certificate of Substantial Completion on the construction of the Lockport Boat Launch Renovations, Ward (4), District (6), Parish of Lafourche, State of Louisiana. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Daniel Lorraine. A brief explanation was given by Mr. Joe Picciola, with Picciola and Associates. The motion *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

RES. NO. ACCEPTANCE OF WORK, LOW LAND CONSTRUCTION

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, and *carried* by a vote of nine (9) yeas and zero (0) nays, to *open* the **Two-Thirds Agenda**.

TWO-THIRDS AGENDA

The first item (1) was a discussion concerning Morristown Sewerage Community Services Block Grants (CSBG) Project. Mr. Cullen Curole, Parish Administrator explained the situation. He asked for the Council's guidance. Mr. Curole stated that it was a sewerage project in the Morristown area that was funded by the CSBG that was received from the Federal Government. The project has been engineered twice and spent over \$90,000. The current design needs the landowners to sign over their property rights and they are refusing. Mr. Curole said that South Central Planning suggested that it be re-engineered. He stated that the two landowners that are not complying own the majority of the property and that re-engineering would not help the situation. He stated that if the Parish stopped the project, \$90,000 would be owed to the Government in re-payments, and that the re-engineering costs would not be 100% reimbursable. Mr. Curole stated that the project needed to canceled or completed before the Parish would be eligible to receive any other grants from CSBG. Mr. Mark Atzenhoffer asked for some time for the Council to get together before a decision was made. Mr. Lindel Toups asked the Administration why they did not get the landowners' approval to where the sewerage plants were to be built before the grant was applied for. A brief discussion ensued. Mr. Mark Atzenhoffer said that he would get a recommendation for the Council for the next meeting.

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

OTHER BUSINESS

The next item on the agenda was Other Business. Mr. Phillip Gouaux stated that he had a couple of items to discuss. The first matter was that the Holy Rosary Church wants to expand their cemetery and they are having problems with the drainage ditch that runs through the existing cemetery. Mr. Gouaux asked for assistance from the Church, Drainage District No. 1, and the Lafourche Parish Council, to close the ditch with culverts. The second matter was in the back of the Nolan Toups Subdivision, he said there is a main drainage ditch and the banks are falling into the ditch causing the road to be undercut. He then asked that

the Administration research for a grant that can be applied for to repair the road with sheet piling, cement, or whatever could be obtained. President Randolph asked if it was part of the FEMA project. Mr. Gouaux responded that it was not part of the project and then asked for Mr. Joe Picciola to clarify the situation. Mr. Picciola stated that the edge of the road is right up against the ditch (which is a fairly big outfall canal) and it is hard to support the edge of the road. He said that FEMA had put stipulations on the amount of money that would be allowed for the grant awards. Mr. Picciola stated that to concrete the whole length of the ditch (from 13th St. to the 40 Arpent Canal) would cost approximately three quarters of a million dollars. He went on to say that due to the cost is why it was out of the scope of the project for FEMA. Further discussions ensued about the drainage issues. Mr. Picciola said that it took great effort to try to stabilize the shoulder, but the ditch is too deep, the road is too close, and it is near the 40 Arpent Canal. Further discussions continued.

Mr. Lindel Toups asked Mr. Picciola for an update on the FEMA project in progress behind the St. Anne Hospital. Mr. Picciola stated that he will get with the Department of Public Works to discuss ideas on how to handle the water behind the shopping center which was proposing a dilemma and after doing so, the project would be ready for bidding. Mr. Ray Cheramie gave an explanation on how diverting the water behind the shopping center and the truck stop to Bayou Lafourche would benefit the area and that it was being researched to see if that was a possible solution.

ADJOURNMENT

On **motion** by Mr. Daniel Lorraine, seconded by Mr. Mark Atzenhoffer, and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee meeting of October 26, 2004, **adjourned** at 6:30 pm.

The next item (5) on the agenda was to approve the minutes and recommendations of the October 26, 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. Tyrone Williams, to accept the October 26, 2004 minutes of the Board of Appointment and Permits Committee meeting. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays. A **motion** was offered by Mr. Brent Callais (5a) to ratify the appointment of the members to the Detention Center Improvement Subcommittee and set the first meeting date, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the October 26, 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, OCTOBER 26, 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 6:33 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

MOTIONS

The next item (1) on the agenda was a motion to fill a North Lafourche vacancy on the Lafourche Communications District Board/advertised, one application. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Mark Atzenhoffer to appoint Mr. Mark Fontenot to the Lafourche Communications District Board. Mr. Michael Delatte stated that Mr. Mark Fontenot has over 25 years in firefighting experience/rescue and very knowledgeable about 911 Communications. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was a motion to ratify the appointment of a liaison to the Lafourche Parish Water District No. 1 Board. Parish President Charlotte A. Randolph nominated Mr. Brent Callais. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. The motion *carried* by a vote of nine (9) yeas and zero (0) nays to appoint Mr. Brent Callais as a liaison to the Lafourche Parish Water District No. 1 Board.

The next item (3) on the agenda was a motion to fill a vacancy on Special Education District No. 1 due to the expired term of Mr. Peter Louviere/advertised, one 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 reappoint Mr. Peter Louviere to Special Education District No. 1.

The next item (4) on the agenda was a motion to fill a Community Representative vacancy on the Head Start Policy Council Board due to the expired term of Mr. Robert Brisco/advertised, one application. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Brent Callais, and *carried* by a vote of nine (9) yeas and zero (0) nays, to appoint Ms. Diana Abdullah to be Community Representative on the Head Start Policy Council Board.

The next item (5) on the agenda was a motion requiring that all Game and Fish Commission Members have access to a boat and motor. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. Mr. Gouaux stated that the Commissioners will be serving on a board that rules the Lakefield area (Camp Canal) and would need to have access to a boat and motor to view the area. Mr. Mark Atzenhoffer asked if the issues with the Commission (that were being dealt with for the last couple of months) were rectified. He suggested that the Council rewrite the Ordinance that created the Game and Fish Commission to rectify the problems. A brief discussion ensued about the meaning of access to boats and why it was needed. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Daniel Lorraine.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, to *open* the **Two-Thirds Agenda**, and *carried* by a vote of nine (9) yeas and zero (0) nays.

TWO-THIRDS AGENDA

The item on the Two-Thirds Agenda was a motion to ratify the appointment of Mr. Burnell Tolbert as Councilman Tyrone Williams' representative on the Subdivision Regulation Committee. A **motion** was offered by Mr. Tyrone Williams, seconded by Dr. Tommy Lasseigne, and *carried* by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, to **close** the Two-Thirds Agenda, and **carried** by a vote of nine (9) yeas and zero (0) nays.

DISCUSSIONS

The next item (6) on the agenda was a discussion concerning the need of a Compliance Officer for enforcement of occupational license and building permit compliance. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Phillip Gouaux stated that a Compliance Officer was needed to inform the public of the occupational license and building permit laws, rules, and regulations. A brief discussion ensued of which Parish department would the position follow beneath.

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Mr. Dwayne LeBouef, Constable, spoke of the Compliance Officer and it would be too much work for one person to cover the entire Parish. He then mentioned several ways of possible funding for the position.

ADJOURNMENT

On **motion** by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, and with no further business, the Lafourche Parish Council Board of Appointments and Permit Committee meeting of October 26, 2004, **adjourned** at 6:52 p.m.

The next item (6) on the agenda was to approve the minutes and recommendations of the October 26, 2004, Finance and Legislative Committee meeting. A **motion** was offered by Mr. Tommy Lasseigne, Chairman of the Finance and Legislative Committee, and seconded by Mr. Phillip Gouaux to accept the October 26, 2004 minutes of the Finance and Legislative Committee meeting. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the October 26, 2004 Finance and Legislative Committee Meeting are as follows:

THE LAFOURCHE PARISH COUNCIL FINANCE & LEGISLATIVE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, OCTOBER 26, 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 6:52 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

A **motion** was offered by Mr. Daniel Lorraine and unanimously seconded to *deviate* to item (3) on the agenda, which was a **Discussion** concerning speed bumps. Mr. Lorraine stated that the Sheriff was present and requested that he address the Council on the speed bump issues. Mr. Lorraine said an Ordinance was passed concerning speed bumps on February 23, 1989 and that a second Ordinance (No. 3145) was passed on May 13, 2003. Sheriff Craig Webre thanked everyone for allowing him the opportunity to bring the issue before the Council and then briefed the Council on why he thought the speed bump issue was important. Sheriff Webre spoke of property, how they were divided, how streets became streets and why they are so long. He stated that the speeding problems are being addressed through enforcement, but it does not eliminate them. Sheriff Webre said that he had his staff do some research and they found a technique called “traffic calming”. He explained that the system suggests that Government (the Sheriff and the Parish) access an area’s traffic volume, congestion, speed, and other related issues. Then, a compressive program would need to be created that would involve: input, public hearings, and petitions from the residents of the area to discuss different “traffic calming” devices. Sheriff Webre stated that he would like to meet with the appropriate people, staff, or departments to further research this technique. He asked for consideration from the Council to take part into this study and maybe incorporate the concept. Mr. Lindel Toups offered a **motion** for the Administration to work with the Sheriff’s Office and to report back to the Council on their findings, seconded by Mr. Daniel Lorraine, and *carried* by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Mark Atzenhoffer and unanimously seconded to return to the regular agenda.

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning cell phones. Mr. Lindel Toups asked the Administration for an explanation on the cell phone bills of the Parish employees, which departments have cell phones and who pays for them. He then asked specifically about the cell phones used by Head Start. Mr. Cullen Curole, Parish Administrator explained that the Parish pays the cell phone bills for Head Start and gets reimbursed by the Federal programs. Mr. Toups stated that he would like more information on the Parish cell phones and the plans (now and if they ordered new phones). Mr. Curole stated that the order was pulled, waiting to hear what the discussions were going to be about at this meeting. He then answered that some phones could be turned in to receive the new Personal Digital Assistant (PDA) phones. Discussions ensued about itemized statements, public record, allowances, and reimbursements options. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to get a legal opinion from the District Attorney about the rights and responsibilities of the cell phone usages (allowances versus reimbursements) to clarify public record concerns, and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was a discussion concerning travel reimbursement. Mr. Phillip Gouaux explained that he wanted to submit an ordinance on how the expenses are considered and who has the authority to approve them. A long discussion ensued in reference to the excerpt from the state travel guidelines.

RESOLUTIONS

The next item (4) on the agenda was a resolution approving the Cooperative Endeavor Agreement between the Lafourche Parish Government and the City of Thibodaux for the sum of \$130,000 for the planning, design and construction of the Lafourche Parish Animal Shelter; and authorizing the Parish President to sign, execute and administer said cooperative endeavor agreement and all relevant documents. President Randolph explained that this was just part of the process for the money to be transferred from the

City's account to the Parish's account to pay for the animal shelter. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Daniel Lorraine. A brief discussion ensued about the funding of the shelter. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. APPROVING THE COOPERATIVE ENDEAVOR AGREEMENT

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Mr. James Wayne with Capital Area Legal Services was present to address the Committee regarding funding. Mr. Wayne said that he serves as the Executive Director of Capital Area Legal Services (Head quarters in Baton Rouge). He stated that they provide free legal services for Lafourche Parish. Mr. Wayne stated that he had been before the Council previously requesting funding and that this time he was begging. He said that there is an office in Houma, one in Gonzales, one in Donaldsonville, and one in Baton Rouge, but not enough personnel to continue to service the whole Parish. Mr. Wayne said they need financial support to send an outreach person down to Golden Meadow, Galliano, and the most southern parts of the Parish. He said that they had to cut back on services because of their lack of funding. Mr. Michael Delatte asked Mr. Wayne if it would be possible to get an accurate report of constituents from Lafourche Parish that uses the services out of Terrebonne. Mr. Wayne stated over 200 people was served out of his office in Terrebonne Parish. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to support the Capital Area Legal Services Corporation in the amount of \$5,800. A brief discussion ensued. An **amendment** was offered by Mr. Daniel Lorraine, seconded by Mr. Lindel Toups, to recommend that the Administration pay the \$5,800 and *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

Mr. Cecil Watts was present to address the committee regarding the speed bump issues. He said to put the emergency vehicles into consideration, having to go down the streets with speed bumps, and how it affects their jobs.

Mr. Dwayne LeBouef, Constable, was present to address the committee regarding open containers in public. He stated that he was approached by several people in his area requesting that he bring this issue to the Council to ask for an ordinance such as the City of Thibodaux and the Town of Lockport has. Mr. LeBouef said the ordinance would assist in eliminating the loitering in front of the convenience stores. Mr. Mark Atzenhoffer asked for the Council Clerk to get copies of the Ordinances from the City of Thibodaux and the Town of Lockport, and that he would forward them to the other Council members.

Mr. Lindel Toups mentioned that Halloween was the next Sunday, the burning law is in affect and asked if a resolution could be passed for everyone to be allowed to burn that evening. President Randolph said that all they had to do is alert the local fire chief.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne, and *carried* by a vote of nine (9) yeas and zero (0) nays to *open* a **Two-Thirds Agenda**.

TWO-THIRDS AGENDA

The first item (1) on the two-thirds agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not it is a conflict of interest for the nine Council members to serve as the Board of Commissioners for the Veteran's Memorial District. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and *carried* to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the two-thirds agenda was a resolution hereby stating that the Lafourche Parish Council does hereby support the Parish of Lafourche, State of Louisiana tax rededication of proceeds of a

special 2.64 mills tax in the Parish, and the rededication of Road Lighting District No. 1 tax revenues in the name of Special Service District No. 1 of the Parish of Lafourche, State of Louisiana. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux, and **carried** to adopt said resolution by a vote of seven (7) yeas and two (2) nays, that being of Dr. Tommy Lasseigne and Mr. Daniel Lorraine.

The last item (3) on the two-thirds agenda was a resolution approving the acceptance of the low bid of Sea-level Construction in the amount of \$64,686.00 for the new gravel parking lot at the Emergency, Recreation, and Community Center in Raceland; and authorizing the Parish President to administer, execute and sign all relevant documents. A **motion** was offered by Mr. Lindel Toups and seconded by Mr. Mark Atzenhoffer. Mr. Toups said that he was contacted by the Raceland Recreation Center and was told that if the money was not spent (by signing the contract) that they would lose the money. Mr. Toups asked for clarification from the Finance Department. Mr. Cullen Curole, Parish Administrator, stated that it depended on where the money was assigned to. He gave an example of the different Recreation Districts, the funds are under the Parish Recreation Funds and if it is not used by the end of the year it is lost (it does not roll over). Mr. Curole then stated that some districts do have their own funds. Explanations continued. Mr. Danny Mayet, Chairman of Recreation District No. 2, stated that the policy in the past was not “use it or lose it”. He said that the balances, in the past twelve years that he has been in the district, were always rolled over to the following year and has never lost any money. Discussion ensued. The motion **carried** to adopt said resolution by a vote of nine (9) yeas and zero (0) nays.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and **carried** by a vote of nine (9) yeas and zero (0) nays, to **close** the **Two-Thirds Agenda**.

OTHER BUSINESS

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

ADJOURNMENT

On **motion** by Mr. Phillip Gouaux, seconded by Mr. Daniel Lorraine, and with no further business, the Lafourche Parish Council Legislative and Finance Committee meeting of October 26, 2004, **adjourned** at 8:05 p.m.

PRESIDENT’S REPORT

The next item (7) on the agenda was a presentation of monthly report on parish finances as required by the Lafourche Parish Home Rule Charter. President Randolph first thanked all the voters of the Parish for approving the Home Rule Charter and the rededication proposals which will assist the Administration in having a good ‘05 and the remaining of the term. She proposed that the Council adopt an idea at the December or January meeting to continue the practice of the Administration bringing the contracts before the Council for approval (particularly the major contracts) because of what the new Home Rule Charter will bring into affect.

Mr. Phillip Gouaux asked President Randolph for clarification on which contracts will come before the Council for ratification before the final approval, after the new Charter is in affect. She said that the capital improvement contracts definitely will and that they are trying to move away from “copier” contracts.

PRESENTATION

The next item (8) on the agenda was a presentation by Mr. Kevin Belanger, Chief Executive Officer with South Central Planning and Development Commission (SCPDC), to address the Council regarding a

Rational Speed Study and an Environmental Protection Agency (EPA)Waste Water Grant. Mr. Belanger began his presentation by stating that approximately two years ago a grant was written/submitted to the Federal Highway Administration and was approved for implementation of a rational speed study within the six parishes that are served by SCPDC. He stated that they initially met with the Sheriff's Offices and the previous Administration to get a feel for any of the roads that might have needed to be examined for possibilities of having speeds to be increased or decreased. Mr. Belanger said that one hundred roads were tagged for review through processes and was then narrowed down to 41 streets throughout the six parishes. He said that Lafourche Parish has one local road (Bowie Road) that is being examined. A traffic engineering firm, Gulf Engineers and Consultants, was hired to help analyze the data for local roadways. He stated that Ms. Nina Ludington, a Fundamental Engineer with the firm, was present. Mr. Belanger stated that the purpose of the program is to utilize the manual of uniform traffic control devices as a means of implementation. He asked for the Council's consideration in passing the ordinance.

Mr. Michael Matherne asked Mr. Belanger if the traffic control study also included safety signals being addressed because of accidents occurring at an intersection on Bowie Road. Ms. Ludington stated that all accidents rates along the road are put into consideration, including intersections, before a speed limit is set. Discussions ensued. Mr. Mark Atzenhoffer asked if the Parish would gain/lose from the study if the speed limit stayed the same. Mr. Belanger said that the Parish will gain and not lose anything. Dr. Tommy Lasseigne asked what were the time frames that the studies were conducted on the road. Ms. Ludington said that the studies were being conducted since January and having counts for February, April, May, June... She said that it was a consisted study with speeds being well over the set speeds and then factor in the 85th percentile. Dr. Lasseigne asked how the developments were factored into the study. Ms. Ludington stated that all development was taken into consideration by calling Planning and Zoning to make sure that of all developments would be factored in. A brief discussion ensued.

Mr. Kevin Belanger began his second presentation of the Environmental Protection Agency (EPA)Waste Water Grant. He stated that SCPDC was very fortunate in receiving a \$777,000 Waste Water Grant that will be matched with local dollars (totaling \$1.4 million). He had included an overview of the project in the packets for the Council members. Mr. Belanger said that the Corp of Engineers has a 219 Program that has millions of dollars available which may be allocated to a specific region and then be used as needed. He then said with lobbying efforts in Washington that millions of dollars could be allocated to the bayou parishes, including Lafourche, Terrebonne, and Assumption. Mr. Belanger said that SCPDC is undertaking the study to get the Corp of Engineers to approve a waste water plan. Once approved, the Parish would be eligible for the 219 Program. He proposed that the study be undertaken through an outside consultant. Mr. Belanger said that it would be estimated at \$41,214.00 for Lafourche Parish to participate in the study. The implementation stage would cost an additional \$111,209.00. The return for the implementation would be approximately \$250,000. He also said that the project is being designed to get more in return than what was originally spent and to avail the Parish to receive additional money through the 219 Program. Stating that the total cost of match, once approved, would be 25%. He asked for the Council's consideration in allowing the Administration to participate in the study with an obligation of \$151,722.00. Discussions ensued.

Mr. Belanger said that SCPDC just received the award and that he would like to go on with the request for proposals (RFP) from consultants within the next couple of weeks, asking the parishes their desire to participate, and needing to have an answers before the next two weeks. Mr. Mark Atzenhoffer suggested that it be an item on the next Public Works and Solid Waste Committee Agenda and the Administration to research if there would be available funding.

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

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (9) on the agenda was an 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 and seconded by Mr. Brent Callais. An **amendment** was offered by Mr. Gouaux and seconded by Mr. Brent Callais that the Subcommittee be coordinated by South Central Planning and Development Commission. Mr. Mark Atzenhoffer asked what would be the cost of SCPDC doing the coordinating. Mr. Kevin Belanger answered that the present charge was \$1,000 - \$2,000 a year. He stated that the cost would be no more than \$5,000. The amended ordinance **carried** by a vote of nine (9) yeas and zero (0) nays. The original ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3508 CODE OF ORDINANCES REWRITE COMMITTEE

The next item (10) on the agenda was an ordinance accepting into the parish system the subdivision known as the "H. O. Land Company," Ward 4, District 7 of Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. The ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3509 H. O. LAND COMPANY

The next item (11) on the agenda was an ordinance accepting into the parish system the subdivision known as the "Tracts A, B, and C, redivision of property belonging to the Lillian Usie Guidry Estate," Ward 11, District 5 of Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3510 LILLIAN USIE GUIDRY ESTATE, TRACTS A, B, AND C

The next item (12) on the agenda was an ordinance accepting into the parish system the subdivision known as the "Crape Myrtle Place," Ward 1, District 2 of Lafourche Parish. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Michael Matherne. The ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3511 CRAPE MYRTLE PLACE

The next item (13) on the agenda was an ordinance amending Ordinance No. 3426 as it pertains to the Subdivision Regulation Committee in order to extend the final recommendation date to no later than November 2005. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3512 AMENDING ORDINANCE NO. 3426

The next item (14) on the agenda was an ordinance establishing a 15 miles per hour speed limit on all motor vehicles traveling on the parish portion of Eagle Island Road; authorizing the installation of signs; and providing for penalties thereof. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. The ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3513 15 MPH SPEED LIMIT ON EAGLE ISLAND ROAD

The next item (15) on the agenda was an ordinance abolishing Lafourche Parish Drainage District No. 12 (Raceland), rescinding and repealing an ordinance adopted by the Police Jury of the Parish of Lafourche, State of Louisiana, on May 15, 1913, providing for the creation of the District; and providing for other matters necessary in connection therewith. Mr. Mark Atzenhoffer requested that this ordinance be **deferred** to the December meeting.

DEFERRED ABOLISHING LAFOURCHE PARISH DRAINAGE DIST. NO. 12

The next item (16) on the agenda was an ordinance to adopt the 2005 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. The ordinance **carried** by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3514 2005 MAINTENANCE AND OPERATIONS BUDGET

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

PROPOSED ORDINANCES

The next item (17) on the agenda was a proposed ordinance authorizing the Parish President to enter into a contract with SWDI, LLC, the term to begin on January 1, 2005 and terminate on December 31, 2009; authorizing the Parish President to enter into amended Intergovernmental Agreement with the Towns of Lockport and Golden Meadow relative to said contract; and authorizing the Parish President to sign said contract with SWDI, LLC and said amended Intergovernmental Agreements with the Towns of Lockport and Golden Meadow. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SWDI, LLC CONTRACT

The next item (18) on the agenda was a proposed ordinance enacting Sections 15:36, 15:37, 15:38, and 15:39 of Sub-Chapter “C”, entitled Peddlers, Hawkers, and Sales from Portables Displays and Vehicles, of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council as it pertains to peddler licenses and mobile seafood vendors. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE PEDDLER LICENSES AND MOBILE SEAFOOD VENDORS

The next item (19) on the agenda was a proposed ordinance to repeal Sub-Chapter “C” of Chapter 2 entitled “Administration and Organization” of the Code of Ordinances of the Lafourche Parish Council as it pertains to provisions governing operations of the parish governing body; and to further restructure and enact new provisions regarding said matter. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ADMINISTRATION AND ORGANIZATION

The next item (20) on the agenda was a proposed ordinance to authorize a second sale of adjudicated property by sealed bids to sell adjudicated property located at Lot 127, Guichetville Subdivision, Raceland, Louisiana; to reject all bid(s) made under the original authority to proceed to sale made via Ordinance No. 3200 in 2003; to authorize and approve an Act of Cash Sale; and to authorize the Parish President to sign all necessary documents related to said sale; and to provide certified copies to all involved parties. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE GUICHETVILLE SUBDIVISION

The next item (21) on the agenda was a proposed ordinance rescinding Ordinance No. 3463 as it pertains to a moratorium on all future aviation facilities from the Intracoastal Canal South to Louisiana Highway 3161 (Cote Blanche Connection) and from Louisiana Highway 1 West to the South Lafourche Levee District Levee, consisting all property adjacent to Louisiana Highway 3235 until December 31, 2005. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE RESCINDING ORDINANCE NO. 3463, AVIATION FACILITIES MORATORIUM

The next item (22) on the agenda was a proposed ordinance establishing a load limit of ten (10) tons on Brocato Lane, Triple Oaks Drive, and Williams Street, Ward 3, District 6 of Lafourche Parish; requiring the placement of “Load Limit” signs; and providing for penalties for violations thereof. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ESTABLISHING A LOAD LIMIT OF TEN (10) TONS

RESOLUTIONS

The next item (23) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Ray Anthony Kraemer and Brenda Stevens Hebert for a twenty foot drainage and

maintenance servitude plus the width of the ditch, Councilmatic 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. Phillip Gouaux, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-174 RAY ANTHONY KRAEMER AND BRENDA STEVENS HEBERT

The next item (24) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Frankie J. Falgout for a twenty foot drainage and maintenance servitude, plus the width of the ditch, Councilmatic District 7; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-175 FRANKIE J. FALGOUT

The next item (25) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Milton and Ann Rogers for a thirty foot drainage and maintenance servitude and a fifteen foot wide temporary servitude, Councilmatic District 8; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-176 MILTON AND ANN ROGERS

The next item (26) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Jules Gerard Folse and Shirley Bellanger Folse for a twenty foot drainage and maintenance servitude, plus the width of the ditch, Councilmatic District 6; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-177 JULES GERARD AND SHIRLEY BELLANGER FOLSE

The next item (27) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Craig Peter Folse and Lawanna Sanders Folse and Wendell James Hohensee and Jo Ann Dantin Hohensee for a twenty foot drainage and maintenance servitude, plus the width of the ditch, Councilmatic District 6; and authorizing the Parish President to sign, execute and administer said agreement. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

**RES NO. 04-178 CRAIG PETER AND LAWANNA SANDERS FOLSE AND
WENDELL JAMES AND JO ANN DANTIN HOHENSEE**

The next item (28) on the agenda was a resolution approving a servitude agreement between Lafourche Parish and Wilbert J. Kraemer and Paulette Tiser Kraemer for twenty foot drainage and maintenance servitude plus the width of the ditch, Councilmatic 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. Phillip Gouaux, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-179 WILBERT J. AND PAULETTE TISER KRAEMER

The next item (29) on the agenda was a resolution certifying to the Louisiana Department of Transportation and Development that they have and will continue to comply with all FHWA/DOTD requirements regarding performance of interim inspections, calculating the load carrying capacity and load posting deficient bridges under their jurisdiction for 2004. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-180 COMPLYING WITH ALL FHWA/DOTD REQUIREMENTS

The next item (30) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to perform drainage improvements from the beginning of Louisiana Highway 657 running parallel with the Intracoastal Waterway east to its intersection with East 2nd Street in Larose, Ward 10 of Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Brent Callais, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-181 PERFORMING DRAINAGE IMPROVEMENTS

The next item (31) on the agenda was a resolution approving a contract between Lafourche Parish Government and Sharon's Lawn Service for maintenance work to be performed at the Lafourche Parish Health Unit; and authorizing the Parish President to sign, execute and administer said contract and all relevant documents. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte to adopt said resolution. Dr. Tommy Lasseigne asked why the Thibodaux Barn was not taking care of the lawn. President Randolph stated that the Health Unit had requested some landscaping be done. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-182 SHARON'S LAWN SERVICE MAINTENANCE WORK

The next item (32) on the agenda was a resolution approving a contract for Actuarial Services of Casualty Actuarial Consultants, Inc. (CACI) to analyze Workers' Compensation assessed to individual funds of the Parish; ratifying the 2004 contract; and authorizing the Parish President or her designee to sign, execute and administer said contract and all relevant documents to analyze the workers' compensation assessments. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Phillip Gouaux to adopt said resolution. President Randolph stated that an amendment was needed to delete the wording "or her designee". The *amendment* was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-183 ANALYZING WORKERS' COMPENSATION

The next item (33) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to clarify the difference of the Lafourche Parish Council required to approve and authorize the Parish President to execute and sign all parish contracts and not be required to approve and authorize the execution and signature of contracts entered into by parish boards. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to adopt said resolution. Mr. Michael Matherne asked for an elaboration. Mr. Mark Atzenhoffer clarified why he was asking for the opinion. Mr. Phillip Gouaux offered an *amendment* to ask the District Attorney to review the boards and to determine the Council's responsibilities for each board and was seconded by Mr. Mark Atzenhoffer. A brief discussion ensued. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-184 DA'S OPINION, REQUIRED OR NOT "PARISH BOARDS"

The next item (34) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not the Lafourche Parish Water District No. 1 and the developer of the Tina Guidry lots on Lake Long Drive in Bayou Blue can cost share the expenses of installing water lines; and if not, what procedure should be taken in order to recoup public funds. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Dr. Tommy Lasseigne to adopt said resolution. Mr. Robert Hale with Robert Hale Real Estate in Houma stated that he represents Ms. Guidry and her property. He stated that the Waterworks has done 20-25 other cost sharing projects all over Lafourche Parish because it is their policy which was voted on by their board. Mr. Hale said that the Waterworks approached them with the policy. He then stated that they were originally going to run the water lines in the pasture to bypass all the people between the property and Bayou Blue on Lake Long Road because it would have been cheaper (with no right-of-way problems). Mr. Hale said that they accepted the offer. He stated that 85% of the cost for

the first line that was installed had nothing to do with their property because it enlarged the existing 2 inch lines. Mr. Hale asked that the Council vote against the resolution or to include all of the other 20-25 people that the Waterworks had done projects with. Discussions ensued. Mr. Mark Atzenhoffer offered an **amendment** to include “*all other cost sharing projects*” and was seconded by Mr. Michael Matherne. A brief discussion ensued. The amendment **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-185 DA’S OPINION, COST SHARE EXPENSES OF WATER LINES

The next item (35) on the agenda was a resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of Lafourche, State of Louisiana, on November 2, 2004, to vote upon the adoption of a proposed revised Home Rule Charter. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-186 ADOPTION OF PROPOSED REVISED HOME RULE CHARTER

The next item (36) on the agenda was a resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of Lafourche, State of Louisiana, on November 2, 2004, to authorize the rededication of the proceeds of a special 2.64 mills tax in the Parish. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to adopt said resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-187 REDEDICATION OF PROCEEDS OF SPECIAL 2.64 MILLS TAX

The next item (37) on the agenda was a resolution providing for canvassing the returns and declaring the result of the special election held in Special Service District No. 1, Parish of Lafourche, State of Louisiana, on November 2, 2004, to authorize the levy of a special tax therein. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Phillip Gouaux, to adopt said resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-188 LEVY OF A SPECIAL TAX THEREIN

The next item (38) on the agenda was a resolution authorizing the Parish President to execute, administer and sign an agreement with Coastal Securities, LP, to serve as underwriters for proposed bonds for Road Sales Tax Districts 3, 5 and 6 and to assist the Parish as it deems necessary regarding said matter. This resolution was **pulled**.

RESOLUTION WAS PULLED

The next item (39) on the agenda was a resolution rescinding in its entirety Resolution No. 04-151 that stated the following adjusted millage rate(s) be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said parish for the year 2004 for the purpose of raising revenue. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-189 RESCINDING RESOLUTION NO. 04-151

The next item (40) on the agenda was a resolution rescinding in its entirety Resolution No. 04-152 that stated the taxing authority voted to increase the millage rate(s), but not in excess of the prior year’s maximum rate(s), on all taxable revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to adopt said resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-190 RESCINDING RESOLUTION NO. 04-152

DISCUSSIONS

The next item (41) was a discussion concerning the composition and terms of office of the Lafourche Parish Library Board of Control.

a.) Motion to advertise the number of vacancies determined by the Council. Mr. Mark Atzenhoffer said that Ordinance Number 667 which was signed on December 11, 1935 states that the Lafourche Parish Public Library should have a board of control consisting 5 members serving staggered terms of 5 years. He mentioned Ordinance Number 1529 rewriting Section 12.3 of Chapter 12 of the Code of Ordinance stating in Section 1: *The Parish public library shall be governed by a board of control of which the President of the Parish Council be an Ex-officio member, and there shall be eight other members, citizens of the Parish, who shall serve for staggered terms of five years each.* He then spoke of the revised statute of "25:214", stating in Section B that the ordinance creating the public library shall have not less than five and not more than seven citizens of the Parish as a board of control. Mr. Atzenhoffer said that Ordinance Number 1529 needs to be amended after the number of members are determined. He then said that several members were appointed to fulfill unexpired terms of board members that were removed and giving them four or five year terms were in violation of the ordinance that required staggered terms. Mr. Atzenhoffer suggested that the Council determine if it is a five or seven member board, were the appointments made in violation of the staggered terms, go to the board that was dismissed and assign a position to fulfill the terms. Mr. Atzenhoffer said that members need to be reappointed because three or four members are on expired terms. He said that four of seven was a majority and that was why he asked for the resolution to seize while trying to get the terms correct. Ms. Sharleen Hotard stated that she had a letter from Mr. Camille Morvant addressing the item on the agenda which was being discussed and stated that all the Council members should have received it also. She stated as the Vice President of the Lafourche Parish Library Board of Control she had asked to come before the Council to address this situation on their behalf. Ms. Hotard said that she had specifically asked whose place was she replacing at the Council meeting when she was appointed and it was told to her that it was to replace Ms. Charlotte Randolph's resignation and to fill her term of office. She stated that it was not in the Bylaws and then referred to the Louisiana Revised Statute 214 as explained by the Legal Advisor Camille Morvant that nothing was being done wrong. She asked where was the board in violation that advertisements for vacancies would be required. Mr. Atzenhoffer responded that according to the list that was provided by Ms. Hotard that an expired term was in 2008, two on 11-14-05, two on 10-10-05, a 6-8-04, a 12-30-08, a 4-8-08, and one in 2009. He said that four terms should not expire within 34 days of each other. Then, he said that by Ms. Hotard's admission of replacing Ms. Randolph would mean that her term expired on 11-9-04. He said that four members of a seven member board can not expire within 34 days of each other and still be in accordance with the law of Ordinance Number 667. Further explanations ensued. Ms. Hotard stated that she wanted to clarify that the board members are not elected by districts or the Council members of them. Mr. Atzenhoffer stated that four members need to be replaced creating a majority and meetings can not take place. Discussions ensued. Mr. Atzenhoffer continued by saying that the three expired seats should be considered as vacant and should be advertised. Mr. Mark Atzenhoffer offered a **motion** to declare the positions of Ms. Eva Shanklin, Ms. Ethel Ann Caillouet, and Ms. Sharleen Hotard as vacant and to advertise for one week and to go before the Board of Appointments and Permits Committee to fill the positions, seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine offered an **amendment** to state that the members that have expired terms continue to serve on the board until the vacancies are filled, seconded by Mr. Michael Delatte. A brief discussion ensued. The amendment was **removed**, as was the second. Mr. Phillip Gouaux offered an **amendment** to request the District Attorney's opinion (in the form of a resolution) for provisions in the law which would allow the members to continue serving in their current position until replaced, seconded by Mr. Mark Atzenhoffer. The amendment **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-191

DA'S OPINION, EXPIRED LIBRARY BOARD MEMBERS

b.) Resolution requesting that the Lafourche Parish Library Board of Control not conduct any

business other than the day-to-day operations until the board vacancies are filled. This resolution was *pulled*.

c.) Resolution requesting that JBC/AIA cease all planning and designs on all library facilities until the board vacancies are filled and a notice to proceed by resolution is received. This resolution was *pulled*.

Next, a **motion** was offered by Mr. Brent Callais, seconded by Mr. Mark Atzenhoffer, and *carried* by a vote of nine (9) yeas and zero (0) nays, to *open* the **Two-Thirds Agenda**.

TWO-THIRDS AGENDA

MOTIONS

The first item (1) on the Two-Thirds Agenda was a motion to ratify the appointment of Ms. Jamie Liner as the Town of Golden Meadow's representative on the Lafourche Parish Tourist Commission Board due to the resignation of Roland Cheramie. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. An **amendment** was offered by Mr. Atzenhoffer and seconded by Mr. Michael Matherne to state that this appointment was to fill an unexpired term, and *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RESOLUTIONS

The next item (2) on the Two-Thirds Agenda was a resolution allowing the Department of Mass Communications at Nicholls State University to utilize the PEG channel on Charter Communications on Tuesdays and Thursdays from 4:00 pm - 5:00 pm. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-192 NSU UTILIZING PEG CHANNEL ON CHARTER COMM.

The next item (3) on the Two-Thirds Agenda was a resolution approving a contract with Classic Business for service agreements for copy machines located at the Barrios Building and at various Head Start locations; and authorizing the Parish President to sign, execute and administer said contracts. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-193 CLASSIC BUSINESS FOR SERVICE AGREEMENTS

The next item (4) on the Two-Thirds Agenda was a resolution approving the contract amendment offered by the State of Louisiana (CIAP Cooperative Agreement No. 2513-02-05, Amendment 3) to implement said program in accordance with state requirements; and authorizing the Parish President to sign, execute and administer said contract and all associated documents. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-194 CIAP COOPERATIVE AGREEMENT NO. 2513-02-05, AMEND 3

The next item (5) on the Two-Thirds Agenda was a resolution approving a contract to A & L Roofing, Inc. in the amount of \$39,500 for the roof replacement to the Library Headquarters at 303 West 5th Street, Thibodaux, with funding to come from the Library Board of Control; and authorizing the Parish President to sign all necessary documents once moneys have been transferred from library funds. A **motion** was offered by Mr. Michael Matherne, seconded by Mr. Michael Delatte, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-195 A & L ROOFING, INC.

The next item (6) on the Two-Thirds Agenda was a resolution approving a contract with Dantin

Chevrolet, Golden Motors, and Lafourche Ford for the purchases of three (3) new trucks for use in the Building and Maintenance and Recreation Departments; and authorizing the Parish President or her designee to sign, execute, and administer said contracts and all relevant documents. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to adopt said resolution. An **amendment** was offered by Mr. Atzenhoffer to remove “*or her designee*” from the resolution, seconded by Mr. Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-196 PURCHASES OF 3 NEW TRUCKS

The next item (7) on the Two-Thirds Agenda was a resolution approving a contract with Bayou Office Machine for service agreements for copy machines located at the Sondra Barrios Center; and authorizing the Parish President to sign, execute, and administer said contract. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to adopt said resolution, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-197 BAYOU OFFICE MACHINE FOR SERVICE AGREEMENTS

PROPOSED ORDINANCE

The next item (8) on the Two-Thirds Agenda was a proposed ordinance prohibiting “Loitering” on West 58th Street and West 59th Street, Ward 10, District 8 of Lafourche Parish. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE “LOITERING” ON WEST 58TH ST AND WEST 59TH ST

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas and zero (0) nays, to **close** the **Two-Thirds Agenda**.

MONTHLY ENGINEERING REPORTS

The next item (42) 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. David Heck was present to speak about Road Sales Tax Districts 3, 5, and 6. He spoke of plans and specifications for five projects (since 2001 and 2002). Mr. Heck stated that he recommended that the projects go out for bids while waiting for the funding that is in progress. He asked that the Council allow the recommendation and give the authority to the Administration to send the letter to move forward with the projects. Mr. Heck then spoke of the Morristown Community Sewerage project. He stated that the plans/specifications were completed, awaiting property acquisitions, and concerns from Mr. Mark Atzenhoffer in reference to hook up costs. He went into further explanations. A brief discussion ensued.

LEGAL ADVISOR REPORT

The next item (43) on the agenda was a motion to relinquish time to the Lafourche Parish Legal Advisor. The Lafourche Parish Legal Advisor was not present to speak.

PUBLIC WISHING TO ADDRESS THE COUNCIL

Chairman Toups announced that the next item on the agenda was anyone in the Public wishing to address the Council. No one from the public wished to address the Council. Mr. Toups questioned a situation that was brought to his attention in reference to the Barrios Pump Station. He stated someone was pumping out wetlands and it was running over the levees. Mr. Ray Cheramie stated that it does not affect the water level in Bayou Blue. Mr. Phillip Gouaux said that the tides affect the water level in Bayou Blue.

He asked that the levee be assessed in finding out if it would be beneficial for it to be heightened, if it is a parish levee that is always being topped, so it does not come over that point. Mr. Gouaux requested that Mr. Cheramie look into the situation and what could be done to prevent the water from coming over. Mr. Cheramie stated that the levee has been heightened twice already and went into detail why it does not benefit the area. A brief discussion ensued.

ADJOURNMENT

On **motion** by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, and with no further business, the Lafourche Parish Council Meeting of November 9, 2004 **adjourned** at 7:20 p.m.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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