

NOVEMBER 22, 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, NOVEMBER 22, 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 6:02 p.m.

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

PRESENT:	Mr. 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
	Mr. Tyrone Williams	
	Mrs. 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 November 8, 2005 Regular Session. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Dr. Tommy Lasseigne to accept the November 8, 2005 Regular Session minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (2) on the agenda was a motion to accept the minutes of the November 14, 2005 Special Session. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to accept the November 14, 2005 Special Session minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (3) on the agenda was a motion to accept the minutes of the November 15, 2005 Special Session. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Lindel Toups to accept the November 15, 2005 Special Session minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (4) on the agenda was a motion to accept the minutes of the November 17, 2005 Special Session. A motion was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to accept the November 17, 2005 Special Session minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

PROCLAMATIONS

The next item (5) on the agenda was a Proclamations honoring winners of the Second Annual Veterans Day Poster and Essay Contest for the Paralyzed Veterans of America. Mr. Daniel Lorraine began

by reading the proclamation honoring Hugh Plaisance, a second grader at Holy Rosary Catholic School in Larose, Louisiana, for winning the National 1st to 6th Grade Category Paralyzed Veterans of America 2005 Veterans Day Poster and Essay Contest. Mr. Brent Callais then read a proclamation honoring Scarlett Nannie, a second grader at Holy Rosary Catholic School, in Larose, Louisiana, for being selected as a Paralyzed Veterans of America 2005 Veteran's Day Poster and Essay 1st and 2nd Grade National Champion. President Randolph then read a proclamation honoring Damien Lefort, a student of Holy Rosary Catholic School in Larose, Louisiana, for being selected as a Paralyzed Veterans of America 2005 Veterans Day Poster and Essay 1st and 2nd Grade National Finalist. Mr. Gouaux then read a proclamation honoring Heidi Rodrigue, a student of Holy Rosary Catholic School in Larose, Louisiana, for being selected as a Paralyzed Veterans of America 2005 Veterans Day Poster and Essay 5th and 6th Grade National Champion. Chairman Matherne read a proclamation honoring Alexandra Eymard, a student of Holy Rosary Catholic School in Larose, Louisiana, for being selected as a Paralyzed Veterans of America 2005 Veterans Day Poster and Essay 1st and 2nd Grade National Finalist. Each proclamation was presented to each child. Mr. Gouaux then read a proclamation honoring Holy Rosary Catholic School for encouraging their students to participate in the Paralyzed Veterans of America National Veterans Day Poster and Essay Contest.

PUBLIC WISHING TO ADDRESS THE COUNCIL

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

Mr. Luke Bellanger addressed the Council by stating that he had had the honor and privilege of presenting Hugh Plaisance's poster. He noted that Hugh Plaisance's poster contained thirteen (13) pictures of thirteen (13) of his relatives who represented the thirteen (13) original colonies which formed the United States.

Mr. Ryan Sellers, a student in the Manufacturing Engineering Technology Program at Nicholls State University, next addressed the Council and began by stating that he was representing several of the members of the program at Nicholls State University. He began by informing the Council that the program he was speaking about was the only such program in the State of Louisiana and that it provided regional and national industries with graduates prepared to work as project, program and manufacturing managers and coordinators, technical sales persons and a host of other jobs in construction, marine fabrication and oil service companies. Mr. Sellers said that during the past summer the project class had built a one-quarter (1/4) scale tractor which was put into competition in Moline, Illinois, where Nicholls State University competed against approximately twenty-five (25) other engineering colleges. He said that he was proud to say that Nicholls State University had received a "Rookie of the Year" award. Mr. Sellers said that the program was starting to flourish after five (5) years of being at Nicholls State University. He then informed the Council that on December 17, 2005 the program class had been told that the program would be terminated. Mr. Sellers said that they were told that the reason for the termination of the program was due to budget cuts. He explained that the reason for addressing the Council was to obtain their support regarding the non-termination of the program. Mr. Sellers advised that they had contacted the Student Government Association at Nicholls State University regarding the matter. He then read from a memo from the Board of Regents of Louisiana which stated that they recommended the immediate termination of the program by the University. Mr. Sellers then advised the Council that someone in the administration had informed the class that if it was unfortunate that the University had failed to put resources into program previously. He then informed the Council that the University was holding the program responsible because they did not have enough of an enrollment, nor enough professors in the program. Mr. Sellers said that it was his understanding that if the program was terminated that the program would be kept in existence for four (4) years in order to allow the freshman currently enrolled in the program to graduate. He explained that would not happen, because the professors currently had would not be available because they would need to find new positions before the ending of the program. Mr. Sellers then advised the Council that they had also been

on the Rajun Cajun radio station and that they also had a newspaper article in the Houma Daily Courier regarding the matter. Chairman Matherne asked if there was a motion to extend the time allowed to address the Council, to which Mr. Mark Atzenhoffer offered a **motion** to extend. Mr. Sellers then said that they were a small group of students that felt like they had no power, and further that they were asking for the support of the Council. He said that they knew that with enough support from the people in the community and from the Council, that they could overcome this problem.

Mr. Daniel Lorraine asked if what Mr. Sellers was looking for was funding? Mr. Sellers said that he was not particularly seeking funding, but that if the Council could contact the Board of Regents or the Board of Supervisors, and the President of the University to ask that they look at this matter closer. Mr. Lorraine stated that he had heard Mr. Sellers speaking on the radio about the matter and that he was under the impression that the program probably would be cut out and that the Council would be asked to assist with funding the program. He went on to say that that the Council could probably talk to others that could participate and help out the program. Mr. Sellers stated that funding was certainly something that the program could use. Mr. Toups advised the Council that he had a resolution on the November 22, 2005 Two-Thirds Agenda to support the program. Mr. Callais then asked Mr. Sellers if he was aware of the funding needed or the costs of running the program at Nicholls State University? Mr. Sellers then asked audience member Dr. George Watts if he was aware of a figure that could be given to the Council, to which Dr. Watts advised that they had not been informed of that. He went on to speak but it was inaudible. Mr. Gouaux stated that he thought that the resolution of support should be directed not only to the administration of the college, but also directed to the Senators and Representative as that would be where the money for the funding would come from. He said that maybe having the Senators and Representatives putting pressure on the State to keep the program, since it is the only such program in the State, would give the program the best chance of winning.

Mr. Ron Sapia, next addressed the Council and advised the Council that he would wait to address the Council during discussions on agenda Item (28).

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

TWO-THIRDS AGENDA

The first item (1) on the Two-Thirds agenda was a resolution approving the Emergency Watershed Protection Project Agreement specifically described as Gheens-South EWP Project, additional project work on the part of NRCS under additional agreements of the same scope and purpose within 120 days; and authorizing the Parish President to sign, execute and administer said contract (s) and all associated documents. A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux, and **carried** by a vote of nine (9) yeas, and zero (0) nays.

RES. NO. 05-266 GHEENS-SOUTH EWP PROJECT

The next item(2) on the Two-Thirds agenda was a resolution supporting the Manufacturing Engineering Technology Program at Nicholls State University. A **motion** was offered by Mr. Lindel Toups and seconded by Dr. Tommy Lasseigne. Mr. Brent Callais stated that he was on the board at Nicholls State University and therefore would have to abstain from voting. Mr. Toups said that he had noticed on the resolution that various companies were listed and asked if those companies would be supporting the program and sending letters regarding the non-termination of the program as well? Mr. Toups then asked if the program would be seeking funding from the Council in the future? Dr. Watts informed Mr. Toups that they really did not intend to come the Parish for funding. He continued to speak but it was inaudible. Mr. Toups stated that the Council backed up the program and that he hoped the program stayed at Nicholls State University. He then asked if oil and rig companies also worked with the program? Chairman Matherne

asked Dr. Watts to approach the podium and identify himself. Mr. Toups stated that a lot of other companies could be added to the companies involved in the program, he then named several companies. Dr. George W. Watts, Director of the Manufacturing Engineering Technology Program, addressed the Council and stated that companies such as Exxon Mobile, Schlumberger, and Haliburton as being companies who would like to hire some of the graduates of the program. He went on to say that to date twelve (12) students had graduated from the program, which he stated had started employment with good salaries. Dr. Watts stated that the graduates were competent and capable individuals who were prepared to go into almost any industry, including the oil industry, manufacturing jobs and automotive and aerospace manufacturing. He said that the graduates had a very broad background. Dr. Watts then said that some of the graduates were in construction. Mr. Toups stated that he hoped the program stayed and said that he knew some of the oil companies in Houston, Texas and would help the program with getting grants and the like. Mr. Callais recommended that the resolution be sent to the Board of Regents, the University of Louisiana System, Nicholls State University, and the Nicholls State University Administration. Mr. Mark Atzenhoffer made a **motion** to amend the resolution to have it also sent to Board of Regents, the University of Louisiana System, Nicholls State University, and the Nicholls State University Administration, seconded by Mr. Michael Delatte. Mr. Gouaux made a **motion** to also send the resolution to the Lafourche Parish Legislative Delegation, along with the Governor, seconded by Mr. Daniel Lorraine. Both amendments *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) abstentions, that being of Mr. Brent Callais and Mr. Michael Matherne. The resolution *carried* by a vote of seven (7) yeas, zero (0) nays, and two (2) abstentions, that being of Mr. Brent Callais and Mr. Michael Matherne.

**RES. NO. 05-267 SUPPORT MANUFACTURING ENGINEERING TECHNOLOGY
PROGRAM AT NICHOLLS STATE UNIVERSITY**

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.

PRESENTATIONS

The next item (6) on the agenda was presentations. Mrs. Beverly Arabie, Lafourche Parish Library Director, presented an overview of their 2006 Budget. Mrs. Arabie began by stating that as required, she was present in order to answer questions about the Lafourche Parish Public Library's budget, which she said had been submitted to the Council. Mrs. Arabie began by stating that the revenues were being estimated to be \$3,721,250 which she stated was a slight increase from the original 2005 budget. She then explained several items contained in the category of Revenues. Mrs. Arabie said that Sales of Materials included diskettes, faxes, poster boards, supplies and the like that the library would sell to the patrons of the library. She went onto say that some years the library received State revenue sharing and that other years they did not. Mrs. Arabie stated that with the problems incurred with the recent storms, they were not sure if anything would be received but were anticipating that there would be \$104,000 as that was what was received in the previous year. She then explained that also included in the Revenue category was Miscellaneous Income, adding that the library did have various things like genealogy charts and rebate items included in the Miscellaneous Income item. She then stated that there were two (2) Lost Books items included under Revenue and said that the budget format would be revised so that it would be one (1) item for the next year. Mrs. Arabie said that with regards to investments, the library only had bonds, and further that they were no longer in the money market, adding that was why the line for Unrealized (Gain) Loss on Invest was blank for the next year on the budget. She then explained the Expenditures category. Mrs. Arabie said that the Payroll Expense item under Expenditures would increase as the library was awaiting the passage of the Ad Valorem taxes before the hiring of new personnel. She then said that it was expected

that two (2) Reference Librarians, a Publicist, assistants, janitorial employees, special services personnel, as well as possibly a grant writer program coordinator, would be hired. Mrs. Arabie said that with the previously mentioned new positions to be filled, along with a two (2%) percent to four (4%) percent raise, would equal payroll expenses of \$1.2 million, with a total payroll expense, including payroll taxes, insurance, unemployment wages, Workers' Comp, retirement and employee liability insurance, of \$1.4 million. She then explained the next category of Expenditures, Supplies and Materials. Mrs. Arabie said that paper could be consider either a Library supply or an Office supply. She stated that if it was colored paper used for programs for crafts it would be considered Library supply and if used for the copy machine, it would be considered an Office supply. Mrs. Arabie noted that as could be seen on the budget for the library, the Other Material line under Supplies and Material was blank, as that category would be deleted. She stated that in total, Supplies and Materials were estimated as being \$75,000. She then explained that under the category of Other Services and Charges, that Miscellaneous Expenses would be service charges, which she stated they very rarely had. Mrs. Arabie stated that the Advertising line was for advertising new positions for the library, which she stated was estimated to be \$2,000 for the advertising for the previously mentioned positions. She also said that the Advertising line did not include things that the library sent out for bid. Mrs. Arabie explained that Membership dues were estimated to be \$3,000 at the end of the year, as that was when a lot of the membership dues became due. She then spoke of the Equipment Rental as being estimated at \$3,500, which she stated included such things as Analyn System for their copy machine, which said contract would be due at the end of they year. Mrs. Arabie then said that the Book Rental line would be removed from the Other Services and Charges category, as the library no longer participated in that program. She explained that the program allowed the rental of books with an option to purchase the books at the end of the year. Mrs. Arabie stated that they found buying the books up-front was more advantageous. She then said that Service Charges and Fees were the same as Miscellaneous and therefore the two (2) lines would probably be combined. Mrs. Arabie said that the library's Total Other Services and Charges were estimated for 2006 to be \$467,900. She then said with regards to Capital Expenditures, the library had underestimated the proposed 2005 budget because they had not realized that some of the projects were coming along faster than they had originally thought. Mrs. Arabie stated that there was only \$75,000 in the Proposed Amended 2005 Budget, and further that they had already spent over \$300,000 due to the acquiring of the Galliano Library. She then explained that according to the library's auditors, Professional Services did not belong in the Capital Expenditures category until after the building had been completed. Mrs. Arabie stated that there had been a concern by a Councilman that the library was budgeting \$50,000 for Video Recordings. She explained that there was a trend of patrons requesting more video recordings and DVDs. She then explained how the \$50,000 figure was calculated. Mrs. Arabie then explained the Repairs and Maintenance category, saying that Maintenance-Supplies was cleaning, etc. She then explained that the Maintenance Vehicle line had increased by a large amount because the library was now being made to pay their own fuel, whereas that amount was previously being paid by the Parish. Mrs. Arabie then said that the Maintenance Office Equipment line included their TLC computer program for the checking out of books, and said that it would be due at the end of the year and thus the reason for the increase. She said that a lot of the expenses of the library came due at the end of the years, explaining that was why it looked in the budget that the amount increased by the end of the year. Mrs. Arabie asked if the Council had any questions? Mr. Callais thanked Mrs. Arabie and the Library Board for coming before the Council and presenting their budget as required by the Home Rule Charter, pointing out that the Library Board was the only required entity who had done so to date. Mr. Lorraine stated that he thanked Mrs. Arabie also, adding that she had stepped into the program at a difficult time. He said that it was evident that the people of the Parish were with the Library Board in that it's tax had been supported by 74%. Mr. Lorraine then thanked the present and previous Library Board.

ADMINISTRATIVE REPORT(S)

The next item on the agenda was an administrative report from President Randolph. President Randolph began by asking if it would be best to have the EPA present its presentation, to which Chairman Matherne responded yes. It was then determined that no one from EPA was present to do such a presentation. President Randolph then began her administrative report. She began by remarking that the present time was an exciting time in Lafourche Parish under the Home Rule Charter, because with the adoption of the new charter by the voters of Lafourche Parish, a budget could be formulated together in order to address the projects and services which were necessary to continue the Parish's progress. President Randolph stated that she also wanted to address other items there were on the November 22, 2005 agenda, beginning by speaking about the request for an update on the repayment of emergency pay by department heads, Parish Administrator and non-classified employees. She informed the Council that four (4) department heads and the Parish Administrator had re-paid the entire emergency pay immediately following the District Attorney's opinion regarding the matter. President Randolph added that one (1) department head was using the payroll process in order to re-pay the emergency pay. She then said that also included on the November 22, 2005 agenda was a proposed policy that could resolve the issue of who was entitled to emergency pay when a crisis arose. President Randolph stated that she would like the Council to look at the matter, saying that it was not an item for discussion on the November 22, 2005 agenda, but that she would like the Council to look at the matter before the next meeting of the Council, stating that it was something that the Parish would like to address. She said that there was a certain number of skill level employees that were depended upon during emergencies. President Randolph stated that when a policy had not been suggested by the Council, the Administration decided to draft one (1) for the consideration of the Council. She stated that she hoped the Council would study the proposed policy and offer guidelines within the near future. President Randolph then stated that hurricane season was only seven (7) months away. She said that after the devastating season just had, that the Parish must be better prepared then it had ever been in the past. President Randolph stated that two (2) internal meetings had been held, as well as a First Responders meeting being sponsored. She stated that the Council had been unable to attend the meeting and advised that if a time or date of a meeting was inconvenient to the Council, to advise of the same, so that the meeting could be rescheduled. President Randolph stated that they wanted the input of the Council prior to an emergency so that the plan could be as comprehensive as possible. She then gave an example, stating that Mr. Toups had inquired as to where pumpers were during the recent storms. President Randolph said that certainly, the pumpers could not be left in the pump stations but that a safe refuge for them needed to be found as their performance was critical to prevent flooding. She said that things such as pumpers' pay levels, and participation in emergencies should be revisited in order to have them remain with the Parish. President Randolph then said that on the November 22, 2005 agenda that Mr. Gouaux would be addressing building codes, adding that contractors, bankers and insurance agents had asked her about that issue and that the Legislature was preparing a 90 day compliance period for State mandated codes. She stated that issue also needed to be addressed soon. President Randolph stated that all the above mentioned matters were issues that there was time to discuss, but that time should not be wasted in addressing them because it needed to be made certain with the next hurricane season that the Parish was as prepared as possible. President Randolph stated that she wanted to add that the everyone had a lot to be thankful for the upcoming Thanksgiving holiday and further that the Parish had faired well in the previous hurricane season.

Mr. Lorraine reminded President Randolph that previously he had mentioned receiving his weekly work orders and asked if she could please have the Department of Public Works mail the status reports, as he had still not received them by mail. He again asked President Randolph that she please ask that the documentation be mailed to him. Mr. Lorraine clarified that he was only speaking about for the general area that he represented, and not the entire Parish. He said that he was under the understanding that Mr. Toups and Dr. Lasseigne also wanted to receive the documentation by mail also. Mr. Lorraine said that to date,

he had not received documentation as he had requested, and added that if it was not done, he would present an ordinance regarding the matter at the next meeting of the Council. President Randolph stated that she would look into the matter.

Mr. Cheramie then offered a visual presentation. He began by stating that at the November 8, 2005 meeting of the Council, that Mr. Daniel Lorraine had commented as to the possibility of his area not receiving a fair share of the work being done by the Department of Public Works. He said that he had a visual presentation that he would appreciate Vision Communication showing the Public, especially the people who lived in District 9, in order to show exactly what has been, and what was being done in the area. Mr. Cheramie stated that this was nothing against Mr. Lorraine, but that he wanted to make sure that the people of District 9 and the rest of the Parish did not believe that the Department of Public Works was leaving anyone out. He said that he was working for all of the people of the Parish. Mr. Cheramie began his presentation by stating that because of some misinformation that the general public had received through perhaps the misunderstanding of what the Administration, the Department of Public Works and the employees of Lafourche Parish Government had done in the past twenty-two (22) months. He said that he had a presentation that would show how much more work was being done in the Parish, and in particular, as compared to the past Administration. Mr. Cheramie stated that the area that continued to be misinformed was District 9. He then showed a slide depicting the outfall canals that had been done, along with the dates they were done and the area which they drain. Mr. Cheramie said that the Lady of the Sea Outfall Canal drained West 131st Place, 134th Street and the Hospital and the Clinic. He then continued to read from the slide depicting various outfall canals done. Mr. Cheramie then went on to show a second slide which showed additional outfall canals done, along with cleaning of ditches and other work done. He then showed a third slide, naming several projects and canals done. Mr. Cheramie said that work had been done along Highway 3235 at the request of Mr. Lorraine, which the State was not doing, connecting some of the outfall canals that were not even with some of the culverts going across Highway 3235 in order to get as much water as possible indirectly to some of the outfall canals. Mr. Cheramie then showed a fourth slide depicting outfall canals which had been done, stating that the last outfall canal done in District 9 was done on September 15, 2005. He said that the machine that was present on September 15, 2005 was scheduled to do another outfall canal in District 9 but that the landowner refused to allow the machine to do the work. Mr. Cheramie then showed a slide of the work that had been done in the previous four (4) years. He stated that in 2000, nine (9) outfall canals had been done, in 2001, four (4) had been done, and that in a total of four (4) years that a total of twenty-five (25) outfall canals had been done in District 9. Mr. Cheramie then said that the present Administration, in twenty-two (22) months, had done thirty-eight (38) outfall canals in District 9. He then reported that in the previous Administration only thirty-six (36) street ditches had been cleaned, adding that in twenty-two (22) months the present Administration had cleaned seventy-five (75), which included cleaning out of the culverts, which he added had not been done in the previous four (4) years. Mr. Cheramie then said that he had been asked by the Veterans to clear the Veterans Memorial Park property, which he said took three and one-half (3 ½) weeks to do. He then reported that the Serigny Mobley Levee had not been touched since Hurricane Juan in 1985. He reported that since that time, the levee had been raised two and one-half (2 ½) feet to three (3') feet. Mr. Cheramie said that he was not satisfied with what had been done with that levee, so he had additional dirt hauled into the area. He said that the Department of Public Works had been asked to work with the Town of Golden Meadow and reported that they had been doing so in grading their pump station and assisting them in numerous projects with whatever equipment was needed. Mr. Cheramie then reported that in 2004 that 163 work orders had been completed and further that to date in 2005, 147 work orders had been completed. He stated that he felt that the Department of Public Works had done their best to separate the work between council districts, adding that not all the districts needed the same type of work. Mr. Cheramie said that he thought the 10th Ward, the 9th Ward and 4th Ward had more outfall canals then the Bayou Blue area. He said that approximately 225

outfall canals had been done since he began his current position with the Parish. Mr. Cheramie then pointed out that thirty-eight (38) outfall canals done in District 9 was a larger share than what other districts had received. He stated that he wanted the citizens of District 9 to recognize that the Parish was doing work in their area and that it was being done fairly. Mr. Cheramie said that he would continue to do whatever work needed to be done in District 9 in order to aid in drainage. Mr. Lorraine clarified that he had never stated that Mr. Cheramie did not do anything, but that there were some canals, recently, that he felt should have been done but that had not been done. He then informed Mr. Cheramie that he could thank the previous Administration for having money to spend and further that Drainage District No. 1, who he said had a separate tax, bought the Parish all types of equipment. Mr. Lorraine said he wished the Parish would buy equipment like Drainage District No. 1 buys, saying that the drainage district had purchased a truck to clean out ditches, adding that the rest of the Parish did not have that. He then stated that God should be thanked for Drainage District No. 1 because that was where most of the things got done in the district. Mr. Lorraine reiterated that he had never said that Mr. Cheramie did not do anything for District No. 9. He thanked Mr. Cheramie for the presentation he had shown and stated that what he would like Mr. Cheramie to do would be to report on work done with Parish equipment in pastures belonging to Mr. Cheramie.

Chairman Matherne inquired as to whether someone from the EPA was present, to which he was advised no.

ENGINEERING AND ARCHITECT REPORT(S)

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

Mr. Larry J. Picciola, Larry J. Picciola, Inc. presented a brief update on current engineering projects. (Attached as Exhibit 1) and asked if there were any questions regarding the same. Mr. Toups inquired on bids on Project 3E (Matthews to Valentine), as he had seen on Mr. Picciola's report that Huey Stockstill had been the low bidder on the project. Mr. Picciola stated that bids had been opened, and further that the bid had been awarded to Huey Stockstill who was in the process of signing the contracts. He went on to say that as soon as the bonds were in order and necessary paperwork was done, Huey Stockstill would be issued a work order. Mr. Toups then asked if a starting place on the project had been determined, to which Mr. Picciola stated a starting place had not been decided. Mr. Toups then asked if it would be fair to say that the area would have blacktop by February or March of 2006? Mr. Picciola yes, that he would think so. He went on to say that work would be started on the project before that, and that drainage would be done first. Dr. Lasseigne inquired about the progress of the Sanchez Bridge? Mr. Picciola said that the bridge had not been started on yet, and further that he would hope that work would begin shortly on it. Mr. Gouaux asked if the combination of Project 3C (Pointe Au Chein) and Project 3B (Lower Bayou Blue) would delay the project? Mr. Picciola stated that no, it would not delay the projects.

Ms. Heather Klingman, Duplantis Design Group, next addressed the Council. She began by reporting on the Marydale Waterline Improvements project, stating that after their last meeting with the City of Thibodaux, it had been realized that tying into the City's system would not be feasible. Ms. Klingman said that what was being looked at the present time and what was being done was to approach some of the property owner's to tie into the Terrebonne Parish side. She stated that they had spoken to one (1) landowner who refused to grant a servitude and stated that then the next property owner was moved onto. Ms. Klingman said that they were incurring difficulties on contacting the landowner and further that the Water District was currently working on obtaining an abstractor to do abstracting on the piece of property in order to get more information on the landowner. She then reported on the Tom Foret Outfall Canal, stating that a meeting was had approximately two (2) to three (3) weeks prior to November 22, 2005, with the Administration where they had presented their preliminary design. She went on to say that issues and options had been discussed at the meeting, and further that the Administration was to obtain paperwork,

maintenance agreements and the affect of same on the progress of the project. Chairman Matherne then inquired at to concrete streets. Ms. Klingman stated that survey on the concrete streets had been completed and the design phase was being started the week of November 21, 2005. Chairman Matherne then asked how long the design phase would take, to which Ms. Klingman responded not very long. Dr. Lasseigne then asked if there was another problem being had with the Marydale Waterline Improvement project? Ms. Klingman explained that the problem was trying to find a route to get the supply water from. She said at the present time the water was supplied by Terrebonne Parish and further that the property owner on whose property the waterline crossed, refuses to grant a new servitude. Ms. Klingman said that other options had started to be looked at. Dr. Lasseigne clarified that this was the project where \$25,000 was talked about and then asked if the expropriation process would have been started at the beginning of the problems if the Parish would already have the property? Mr. Atzenhoffer asked Ms. Klingman at what point would it be determined that it was futile to keep re-engineering the plans and use the expropriation process instead? Ms. Klingman said that they were not re-engineering anything at this point and that it had purposely not been engineered and would not be, until a set route was known. She said that if a servitude could be gotten from the landowner she was previously speaking about having difficulty contacting, it would be a viable route and then any re-engineering, which she said would not be much, would be done at that time. Mr. Atzenhoffer asked if anything on the matter would be known in 60 days? Ms. Klingman responded yes, definitely and thought that they should know something by the next Council meeting. Mr. Atzenhoffer stated that the Council needed to know if resistance was being encountered, then it would need to look at the expropriation process because it was important to the people of the area to get the improvements.

Mr. Richard Weimer with Richard Weimer Architects next reported on the status of the Animal Shelter. He reported that the kennel building had been completed and then showed pictures of the completed kennel building. Mr. Weimer said that the building was ready to be occupied. He then said that the Louisiana Technical College was building the office building, which he stated was fifty (50%) complete. Mr. Weimer went on to say that they were currently doing air conditioning work and plumbing and siding work. He said that the building would be finished in approximately six (6) to nine (9) months, depending on how well the students of the college did. Mr. Weimer said that he was happy to report that one (1) building was complete and that the other was fifty (50%) percent complete. He then informed the Council that he also working on the waterproofing of the Courthouse and then thanked the Council for the project. Mr. Weimer said that had analyzed the existing exterior condition of the Courthouse building and was in the process of determining what had to be done in order to correct the leakage and deteriorating plaster which existed. He went on to say that the plaster in the interior that was damaged due to leakage over the past years would also be corrected. Mr. Weimer reported that some of the water-stained ceilings would be replaced, as well as painting the courtrooms. He then asked if the Council had any questions. Dr. Lasseigne asked when the Animal Shelter would begin operations? Mr. Curole stated that they were trying to schedule an appointment with the Mayor of Thibodaux and the Sheriff in order to get the cooperative endeavor agreements together. He said that the budget was for January 1, 2006 for a new employee, and added that it would have been nice to start sooner. Mr. Curole said that it would not be fully functional and that they were trying to figure out what could be accomplish without having to wait six (6) to nine (9) months to fully open the shelter. Mr. Brennan Matherne advised Dr. Lasseigne that the kennel building would be operational after the purchasing of bowls for water and food. He said then it would be matter of deciding if a employee for the building was wanted or not.

Mr. John Plaisance, J. Wayne Plaisance, Inc., addressed the Council on the Oakridge Park Levee Road project. He began by stating that contractor was on site and that he had cut the lime in the week of November 14, 2005. Mr. Plaisance said that the contractor should be cutting the cement in on November 23, 2005 and paving sometime the week of November 28, 2005.

LEGAL ADVISOR REPORT

The next item on the agenda was to relinquish time to the Lafourche Parish Legal Advisor. The Lafourche Parish Legal Advisor advised that he had no report to give.

ORDINANCE FOR RATIFICATION AND DISCUSSION

The next item (7) on the agenda was an ordinance rescinding and repealing Ordinance No. 2455 and reinstate the levy and collection through out the boundaries of Sales Tax District No. 4 of the Parish of Lafourche, of the one percent sales and use tax for solid waste collection and disposal purposes. Chairman Matherne advised that this matter would require a two-thirds (2/3) majority vote of the Council to pass. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. Mr. Gouaux advised the Council that the Administration had visual presentation that they wanted to show. President Randolph began by stating that they were a little concerned about the numbers that were presented in the previous presentation regarding this matter, and that they were somewhat inflated and therefore they wanted to present numbers with a historical backing. Mr. Jerome Danos, Solid Waste Manager, quickly re-hashed what had been discussed on the matter at the November 8, 2005 Council meeting. He said that it had been established that since 1997 the .07 of a cent revenues were coming in at an annual average increase of about .42% and that the CPI (Consumer Price Index) was averaging a 2.3% increase annually. Mr. Danos then advised that as of October 2005, it appeared that inflation was rising and that the CPI based on October 2005 figures would indicate that it would in the range of 4.6%. He then re-showed several slides he had shown at the November 8, 2005 Council meeting showing the expected deficits to be incurred by the department. President Randolph interjected stating that the three (3%) percent increase in revenue and expenses that was used in the previous presentation was suggested by Dr. Lasseigne. Mr. Danos said that the three (3%) percent suggested by Dr. Lasseigne obviously stabilized the budget and would bring an ending fund balance of approximately plus or minus \$3 million by the end of 2009. He then showed another slide and stated that instead of using a three (3%) percent annual increase on both the revenues and expenses, more historical numbers were used. Mr. Danos said that as could be seen the revenues were significantly less through the years and that the expenses gained closer to the revenues overtime more quickly then in the previous scenario. He said that he wanted to bring to the attention of the Council that there would be a surplus in 2006 and through the remaining years, but added that the surplus would continuously dwindle. Mr. Danos stated that in the end of five (5) years, the department would be looking at a plus or minus \$2.5 million to \$2.7 million. He showed another slide to illustrate that the fund balance would need to be dipped into by 2009 with the current CPI increases and the actual CPI budgeted. Mr. Curole pointed out in the slides a half-a-million dollar difference over a three (3) to four (4) year period due to inflation. He said that there were many things that could affect the Solid Waste fund balance, naming such things as a storms or an inflationary year. Mr. Curole said that enterprise zones required that the Parish rebate considerable dollars to some of the big industry representatives. He said that all of these things made a difference in the fund balance. Mr. Curole said that the numbers used in the present presentation were more realistic than the three (3%) percent for revenue and CPI that was previously used. He said that he would rather sit with a decent fund balance that could be utilized over a period of ten (10) or so years, rather than with a small fund balance that could be wiped out with one (1) storm. Mr. Lorraine said that there was approximately a \$360,000 ending fund balance that could dwindle, but that the fact was that there was a \$360,000 ending fund balance. He suggested that the Council monitor this issue month by month, and added that he felt that the taxpayers could be given another year of tax breaks. Mr. Lorraine said that with the recent storms there were people in distress. He said this added tax would hurt the citizens financially. Mr. Lorraine said that if a deficit was had, he would say yes to the matter, but he pointed out that there was not a deficit. He said that the taxpayers should be given another year of tax breaks. President Randolph said that another scenario that had not been mentioned was that if the tax was not put back on a user fee up to \$12.00 in the year 2007 would have to be

put on. She said that the user fee was a serious consideration. President Randolph said that if the .03 of a cent were put back on now, pointing out that would equal only thirty (.30¢) cents on one hundred (\$100) dollars, the losses could be recouped. President Randolph said that every step to reduce expenses had been taken and nothing else could be done. She said that a user fee was the only remaining action that could be taken on the fund. President Randolph said that they were asking for .03 of a cent, saying that the voters approved a one (1) cent sales tax initially and therefore she said, all that was being asked for was what the voters had agreed to. She said that it was .03 of a cent and that it would keep the fund solid for five (5) years and a user fee would not be worried about. President Randolph said that if the Council monitored the issue month to month, a lapse of collection time would occur because it would take a few months to put it back on. Mr. Curole then said that Mr. Danos had an additional slide that reinforced what President Randolph had just said. He said that if one (1) year was waited, and the 4.6% increase as previously mentioned occurred, the \$357,000 fund balance would disappear in a year's time. He then pointed out that on the slide that in 2009 a deficit would occur. Dr. Lasseigne said that he did not know if everything that could be done to cut expenses had been done. He said that Houma paid half as much and that they had one (1) time a week pickup of solid waste. Dr. Lasseigne said that he did not know if the contract could be renegotiated to go to once a week pick or not. He said that he was not voting for the resolution, and that he was anti-tax. Dr. Lasseigne said that taxes were needed to fund government, but that the Parish needed to be frugal with the tax payer's money, instead of growing government. Mr. Gouaux said that he did not think they were growing government on this issue and that he thought what was trying to be done was to be conservative because of the unknown, such as the current disposal site going out of business. He said that the fund balance that was supposedly to be had, could be eaten up within a couple of months and then there would be no other choice but to be put back on the .03 of a cent plus a user fee. Mr. Gouaux said that with hurricanes and other unknowns, he did not think that putting the .03 of a cent back on would be a bad move. He said that he hoped that the Council supported the matter. Mr. Toups said that when the tax was cut back in 1997, it was known that it would have to be put back on. He said that he was not a tax man, but that he would rather see the tax put back on at the present time, adding that it was known that the department would run out of money. Mr. Toups then asked what would happen if other departments such the Sheriff or the School Board wanted to put on another tax? He said that he was aware that the tax could be put back on at any time it was wanted, but that he would rather a small amount incase there was another storm. Mr. Toups said that it had to be admitted that Lafourche Parish had a good trash pick up. He said that he would vote to reinstate the tax because it could always be cut back once the fund balance was built up. Mr. Atzenhoffer said that once again, the Parish was trying to tax itself into prosperity. He said that by putting back on the .03 of a cent there would be 9.0% sales tax, which he said, would make the Parish higher than its surrounding parishes. He said that if citizens had a choice that they may choose to go to another Parish. Mr. Atzenhoffer said that putting a tax on now in order to avoid having to make a tough decision later, was not the right thing to do. He said that a tough decision needed to be made, asking if the current level be maintained or whether once a week service should be used. Mr. Atzenhoffer said that once a week service was fine, and that it worked in other parishes and counties. He then pointed out that a green waste program had not been addressed. Mr. Atzenhoffer said that Mr. Gouaux was right that there would be a point when the current landfill used would be closed, and added that if that was foreseen, why not add another .50 of a cent now. He then said that if the Sheriff and the School Board wanted more taxes that they would have to go before the people and justify the reasons for the same. He said that he was not present to put taxes back on people, especially when there was still other things that could be done to keep the tax down. Mr. Atzenhoffer said that for him, this was not a tough decision, saying that it should be voted down and a way to save money should be found. Mr. Gouaux said that what everyone had to realize was that by contract the parameters of service were set. He said that there were still a few years left to the contract and said that the company contracted with had geared up with personnel and equipment. Mr. Gouaux said that he did not

think that the contracted company would take too kindly to having the Parish backing out. He then pointed out that the Council had voted for the contract. Mr. Gouaux said that he thought it best to increase to .03 of a cent and follow the progress through the next year. He then said that if a surplus was obtained, which he added he very seriously doubted would happen, it could be adjusted at such a time. Mr. Toups then asked if the contract had been signed for another three (3) years? He then asked if the contract could be redone and it changed to once a week service? Mr. Toups said that if that could be done, he would be for that. He then said that the once a week service solution could be looked at or that the whole tax could be dropped and then charge per household like in other parishes. Mr. Toups said that it should be studied. He then reminded the Council that he offered an amendment at a previous meeting to start the tax, if put back on, in April of 2006. Mr. Toups said that he was willing to have it studied to see if once a week service was feasible. He stated that he thought that people did not want a per household charge and would rather a one (1¢) cent sales tax. Mr. Toups said that Terrebonne Parish and St. Charles Tax Parish had done that and they had to go up with the prices. He said that the average water bill in Lafourche Parish was approximately ten (\$10) to twelve (\$12) dollars, but that in St. Charles and Terrebonne Parishes the bills were thirty (\$30) and forty (\$40) dollars. Mr. Lorraine said that there was still a Solid Waste Committee which was chaired by Mr. Gouaux and suggested that maybe the committee could look at some ways to cut back and renegotiate the contract. He said that as Mr. Atzenhoffer had said, there were ways that negotiations could be done. Mr. Lorraine said that the committee should be put back to work in order to come up with ideas. Chairman Matherne asked if there was any other discussion on the matter. Hearing none, he advised the Council that a roll call vote would be taken and then reminded the Council that it would take two-thirds, six (6) councilmen, to approve the ordinance. The ordinance **failed** by a vote of three (3) yeas, that being of Mr. Michael Delatte, Mr. Phillip Gouaux and Mr. Lindel Toups, and six (6) nays, that being of Mr. Brent Callais, Mr. Mark Atzenhoffer, Mr. Tyrone Williams, Dr. Tommy Lasseigne, Mr. Daniel Lorraine, and Mr. Michael Matherne.

ORDINANCE FAILED

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 (8) on the agenda was an ordinance adopting the 2006 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of the Lafourche Parish Home Rule Charter. Chairman Matherne advised the Council that there were some amendments that were submitted that needed re-wording and suggested that the Council go forward with the amendments presently had and defer the adoption of the ordinance until a special meeting he would be calling to be held on November 29, 2005 for that purpose. Dr. Tommy Lasseigne made a **motion** to go forward with the amendments and to defer the adoption of the ordinance until the special meeting to be held on November 29, 2005, seconded by Mr. Daniel Lorraine, and **carried** by a vote of nine (9) yeas and zero (0) nays.

Amendment (1) was offered by Mr. Daniel Lorraine, entitled as 2006-5-LORRAINE, to remove Fund No. 125, the Veterans Memorial District (VMD), and Fund No. 312, the VMD Sinking Fund, out of the 2006 Maintenance and Operations Budget for the Lafourche Parish Council and transfer all the funds to the Board of Commissioners of the Veterans Memorial District (Ward 10) of Lafourche Parish and seconded by Mr. Brent Callais. Mr. Lorraine asked if Mr. Linton Ducet, Chairman of the Veterans Memorial District could be brought up so that he may ask him a question, to which Chairman Matherne advised that he would give him thirty (30) seconds. Mr. Lorraine told Mr. Ducet that the bonding attorney, Mr. Lonnie Bewley, had advised that an ordinance was not needed to accomplish what was being suggested in his amendment. He then said that he had recently attended a Veterans Memorial District function and had asked that the

hiring of CPA and also the hiring of the auditor who performed audits for the Parish be considered. Mr. Doucet said that he had not spoken to anyone about the suggestion, but that they would consider the matter. He said that he thought it to be a good idea and that he saw no problems with it. Chairman Matherne advised Mr. Doucet that he believed the reason that Mr. Lorraine made such a request was because there was debt service that needed to be paid and that would take some expertise. Mr. Lorraine said that he wanted it made clear that this district was no different from any other districts that had their own taxes. Mr. Doucet briefly spoke of his willingness to fight for his country. President Randolph then wished the Veterans Bon Chenes. The amendment *carried* by a vote nine (9) yeas and zero (0) nays.

Amendment (2) entitled as 2006-6-MATHERNE, to make the Council Clerk salary line item reflect \$41,200 in Fund No. 121 (Legislative Fund) and move the extra \$4,497 in an "Overtime Allowance" line item was *withdrawn* by Mr. Michael Matherne. He stated that some of the numbers were not correct and further, that he would reintroduce the amendment at the special meeting of November 29, 2005.

Amendment (3) was offered by Mr. Mark Atzenhoffer, entitled as 2006-7-ATZENHOFFER, to move \$513,222 from the Miscellaneous line item in Fund No. 110 (Recreation) to the Fund Balance, seconded by Mr. Brent Callais. Mr. Atzenhoffer stated that since the offering of this amendment, he had discussions regarding the matter. He then explained that what this amendment was, was the grant/tax money that would be redistributed. Mr. Atzenhoffer said that everyone had agreed that the formula used needed to be updated and that a new way of distributing needed to be found. Mr. Atzenhoffer said that what he was proposing at the present time was to hold off on the current amendment under the condition that within a weeks time the directors and boards would hash out the issue at one (1) meeting as opposed to the forming of a committee. Mr. Atzenhoffer said that Mr. Brennan Matherne had agreed in principal to what Mr. Atzenhoffer was proposing and further that he would like the support of the Council on the matter. He said that he believed that if everyone got together to hash out the problem, at which time Mr. Gouaux interrupted and stated that the budget was being discussed and not recreation. Mr. Atzenhoffer said that either the current amendment could be voted on, or that after a meeting as he was requesting, an ordinance and plan could be brought to the next meeting to get a plan that was fair and equitable to all the recreation districts in Lafourche Parish. He said that if the everyone as a Council agreed, the amendment could be pulled. Mr. Toups asked if Mr. Atzenhoffer was talking about having the Recreation Department, and not the recreation districts, making the decision on the formula? Mr. Atzenhoffer advised Mr. Toups that the recreation districts would be at the meeting. Mr. Callais said that he thought it to be almost impossible to have another meeting with all the recreation districts in a weeks time, especially with Thanksgiving be only two (2) days away. Mr. Atzenhoffer said that it could be done by the end of the year. Mr. Lorraine said that he thought it would be a good idea to have the directors present at the meeting, and added that he did not change his mind very often, but that he would go along with Mr. Atzenhoffer on his proposal. Mr. Gouaux said that he agreed with the scenario being proposed but that he did not want to rush the issue. He said that putting a time limit of the 1st of the year may cause a rush into something that would be later regretted. Mr. Gouaux said that he would rather have time taken on this issue, unless all the directors had their own formula and could agree to coming together. He said that a lot of work and a lot of thought should go into this issue. Mr. Brennan Matherne said that he respectfully disagreed with Mr. Gouaux in that in talking with Mr. Atzenhoffer he felt that what he was trying to do was to cut the red tape and the delay. He said that in discussing the issue with Mr. Atzenhoffer, he felt that Mr. Atzenhoffer felt that by forming a committee, the issue could be dragged out for many months. Mr. Matherne said that whatever the Council wanted to do was fine, and further that he was looking for support from the Council. He said that he would invite the directors and the presidents and/or chairmen of the boards of recreation districts to attend the meeting and speak about what they believed the situation was. Mr. Matherne said that he would work with the councilmen, the directors, and would add his own input in order to come up with a formula that was believed to be fair. He then said that if the Council would prefer that he not be included, and to just have the

committee make the decision, that would be fine also. Mr. Matherne said that he thought that Mr. Atzenhoffer's proposal would speed up the process, adding that he did not think the issue was something that needed to take months to discuss. He said that only one (1) to two (2) meetings would be needed in order to get everyone's input. Mr. Curole said that in light of the holidays and everything that was taken place, that a week's time would be too short of a period. He then said that waiting too long would be complicated by the fact that some of the recreation directors would be expecting to be paid in January 2006. Mr. Curole said that if there were no monies coming to them, a problem may be incurred. He said that a potential solution would be to have a temporary, generic cooperative endeavor agreement that would allow payment through January, at the next meeting of the Council. Which he said would give two (2) months in order to compile a better formula. Mr. Toups said that the districts did not receive all of their funds at one (1) time, and further that they received four (4) checks through out the year. Mr. Curole stated that at the present time they were paid out Finance, and that basically they did requisitions and they were paid out payroll. He said that the design present was that grants and cooperative endeavor agreements would be provided to start funding them. Mr. Toups stated that he had attended a recreation meeting on November 21, 2005, and that he had been told that they receive a certain amount of money every three (3) months. President Randolph stated that was tax money. Mr. Brennan Matherne advised Mr. Toups that the money that was being spoken of was the money maintained by the Parish Finance Department. Mr. Toups said that they would still have money to take care of their payroll. Mr. Matherne said that the Parish took care of their payroll. President Randolph stated that it was not paid out of their funds. Mr. Toups said that the changing of the formula had been talked about for the past twenty (20), adding that he thought it was something that needed to be done, but that it needed to be done correctly. He said that he agreed that it could not be done in a week's time. Mr. Toups said that he agreed with Mr. Curole in saying that the districts should receive their money and let them pay their payroll while working on the formula. He said that he wanted his recreation district involved in the updating of the formula, because he did not want to make the decision on his own. Dr. Lasseigne stated that according to what Mr. Curole had said, the money being spoken of stayed until January 1, 2006. Mr. Brent Callais removed his second and Mr. Atzenhoffer removed his motion. The amendment was *withdrawn*.

Amendment (4) was offered by Mr. Mark Atzenhoffer, entitled as 2006-8-ATZENHOFFER, to move \$101,300 from the Professional Services line item in Fund No. 118 (Planning Commission) and put it back in the Fund Balance, making the Professional Services balance at \$15,800 and the Fund Balance at \$123,715, and seconded by Mr. Brent Callais. Mr. Gouaux asked the rationale behind the amendment, asking if it was so that the Administration had to come back before the Council in order to spend the funds? Mr. Mark Atzenhoffer said that what was being spoken about was the line item for the Master Plan, adding that he was looking for a plan for the Master Plan. He said that it was a roll-over from last year. Mr. Atzenhoffer said that if a Master Plan was came up with, that the Council could approve a supplemental appropriation at the same time the contract would be approved. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays.

Amendment (5) was offered by Mr. Brent Callais, entitled as 2006-9-CALLAIS, to move \$795,000 from the Fund Balance in Fund No. 181 (Coastal Zone Management) to the Capital Outlay line item, seconded by Dr. Tommy Lasseigne. Mr. Callais explained that in the Capital Outlay budget there was \$750,000 for locks and \$50,000 for a small dredge project. He said that those amounts had been left out in the Coastal Zone Management fund, and that this amendment was simply to correct arithmetic. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays.

OTHER AMENDMENTS

Additional amendments were offered as follows:

Dr. Tommy Lasseigne *withdrew* an amendment entitled as AMENDMENT 2006-10-LASSEIGNE.

Mr. Lindel Toups offered an amendment entitled as AMENDMENT 2006-11-TOUPS, to Reduce the Economic Development Director's Salary from the "Salaries" line item in Fund No. 001 (General Fund–Economic Development) to \$40,000 and move the excess of \$5,000 to the "Dues" line item in Economic Development, and seconded by Mr. Phillip Gouaux. Mr. Toups explained that the Economic Development Director's salary had be put at \$45,000 and that it was now being decreased to \$40,000. He added that she had taken on additional duties and that he thought she deserved the position. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays.

Mr. Brent Callais offered an amendment entitled as AMENDMENT 2006-12-CALLAIS, to move \$20,000 from the Fund Balance of Fund No. 181 (Coastal Zone Management) and add it to the Miscellaneous line item in same fund for Restore or Retreat and seconded by Mr. Mark Atzenhoffer. Mr. Callais explained that with regards to the monies that were given to the various coalitions, that Restore and Retreat had been inadvertently omitted. The amendment *carried* by a vote nine (9) yeas and zero (0) nays.

Mr. Tyrone Williams offered an amendment entitled as AMENDMENT 2006-13-WILLIAMS to decrease the Fund Balance of Fund No. 110 (Recreation) by \$20,000 and increase the Capital Outlay line item in Fund No. 110 by \$20,000 for the bathrooms at the Martin Luther King Park and seconded by Mr. Daniel Lorraine. Mr. Gouaux asked if the Administration had any other way of funding this project other than taking money out of the recreation fund? President Randolph stated that it was a park and thus was identified under recreation. Mr. Gouaux clarified that there was no other source of funding for the project. President Randolph stated that there were other sources of funding but that it was a recreation activity. Dr. Lasseigne said that he had spoken to Mr. Camille A. Morvant, II, District Attorney regarding the structure of this amendment and whether or not the amount of money mentioned was in the recreation fund. He advised the Council that he had gone over, in detail, a similar item, for which he stated he was advised was not properly worded. Chairman Matherne clarified that what was being asked was whether there was enough money in Fund 110. Mr. Atzenhoffer stated that the excess in Fund 110 was \$323,412. Dr. Lasseigne pointed out that in Mr. Atzenhoffer's amendment to be offered next, there was money to be moved into Capital Outlay. He said that he was worried that there would be an overlap and that the money would run out. Mr. Atzenhoffer clarified that what Dr. Lasseigne was pointing out as overlapping was contained in Amendment No. 14. He said that it was a total amendment of \$72,000. President Randolph stated that a portion of that amount was a roll over. Mr. Lorraine suggested that if there was a problem, the amendment could be pulled and re-offered at the special meeting to be held on November 29, 2005. He said that he would support it. Dr. Lasseigne then said that another issue was whether Capital Outlay could be done on property that the Parish did not own. He said that Mr. Morvant had mentioned that in an earlier conversation on November 22, 2005. Dr. Lasseigne asked if the wording to Capital Outlay in a cooperative endeavor with the City of Thibodaux should be included? President Randolph stated that was how it had been done in the past. Dr. Lasseigne stated that was not what the present amendment was saying, adding that he had ran into the same issue regarding another amendment. He then deferred to Mr. Morvant, District Attorney. Mr. Morvant clarified that Amendment No. 10 had been deferred until November 29, 2005. He then advised Mr. Williams that it appeared to him that the current amendment being spoken about was the same thing that was trying to be accomplished in Amendment No. 13 which was included in Amendment 10, which was deferred until November 29, 2005. President Randolph stated that the amendments named two (2) different funds, adding that Amendment No. 10 was from the General Fund and that the current amendment was from Fund 110 Recreation. Mr. Morvant said that President Randolph was correct and that was what wanted to be spoken about, was that both amendments, Amendment No. 10 and the current amendment would both go to the Recreation Fund. He then suggested that Mr. Williams defer Amendment No. 13. Mrs. Chiasson stated that the only thing that needed to be done in order to correct the amendment would be to change it from Capital Outlay to the Miscellaneous line item where the grants would be put. She then said that a cooperative endeavor agreement would be needed before the disbursal of the funds.

Chairman Matherne clarified that Mr. Williams wanted to withdraw the amendment and have it re-presented on November 29, 2005 with the changing of Capital Outlay to Miscellaneous. Mr. Daniel Lorraine removed his second, Mr. Tyrone Williams removed his motion. The amendment was *withdrawn*.

Mr. Mark Atzenhoffer offered an amendment entitled as AMENDMENT 2006-14-ATZENHOFFER, seconded by Mr. Brent Callais, to

2006 Capital Budget

2006-001 General Fund

Total Projects: ~~\$135,000~~ \$323,000

Project: MUNIS Software

Justification: Next phase of the software project begun in December of 2004 to include work orders, inventory, vehicle maintenance and citizen request.

Estimated Cost: \$90,000 (Roll-over)

Method of Financing: General Fund Budget combined millage 2.83 and .76

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: Included in the annual maintenance costs of all MUNIS modules.

Project: Plotter

Justification: Compatible plotter to integrate with computer network and software will enable DPW to print documents needed for planning, drainage, levees, roads, etc.

Estimated Cost: \$25,000

Method of Financing: General Fund Budget combined millage - 2.83 and .76

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: \$300

Project: Van

Justification: To replace the Community Action van

Estimated Cost: \$20,000

Method of Financing: General Fund Budget combined millage – 2.83 and .76.

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: Limited to minimal maintenance costs such as oil changes.

Project: Marydale Waterline Project

Justification: To upgrade existing waterlines to provide improved fire protection in Marydale community

Estimated Cost: \$188,000 + 40,000 Engineering (Total Projected costs are double the construction amount to be cost shared 50/50 with Lafourche Water District #1)

Method of Financing: General Fund Budget combined millage – 2.83 and .76.

Estimated Time Schedule: Spring-Summer 2006

Annual Maintenance/Operation Costs: Waterlines will be turned over to Lafourche Water District and/or the Terrebonne Parish Water District.

2006-101 Animal Control Fund

Total Projects: \$97,000

Project: Animal Shelter

Justification: Completion of project begun in 2005

Estimated Cost: \$97,000 (Roll-over)

Method of Financing: Collaborative financing between the City of Thibodaux, the Lorio Foundation, and the Lafourche Parish Government. Revenue generated by veterinarian services, sheltering fees, and donations.

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: \$168,000

2006-102 Building and Maintenance Fund

Total Projects: ~~\$1,105,000~~ \$1,155,000

Project: Historic Courthouse Renovation

Justification: Correct water damaged areas of the building

Estimated Cost: \$195,000 (Roll-over)

Method of Financing: Lorio Foundation Grant

Estimated Time Schedule: Within the 2006 calendar year.

Annual Maintenance/Operation Costs: This renovation will reduce the current maintenance costs.

Project: ~~Galliano Annex~~ South Lafourche Annex

Justification: Centralization of services in the South Lafourche area

Estimated Cost: \$330,000 (Roll-over)

Method of Financing: Building and Maintenance Budget - 2.49 parish wide millage expiring in 2006

Estimated Time Schedule: Begin project before December 31, 2005

Annual Maintenance/Operation Costs: Minimal increase because offices will be consolidated.

Project: Jail Park

Justification: Create greenspace, bench and picnic area in downtown

Estimated Cost: \$50,000 (Roll-over)

Method of Financing: Building and Maintenance Budget – 2.49 parish wide milage expiring in 2006

Estimated Time Schedule: Begin project before December 31, 2005

Annual Maintenance/Operations Costs: Area currently maintained for different use.

Project: Ag Building Renovation to include A/C and office space

Justification: Relocate Cooperative Extension Service Facilities for agricultural producers, students and businesses.

Estimated Cost: \$280,000 (Roll-over)

Method of Financing: Building and Maintenance Budget - 2.49 parish wide millage expiring in 2006

Estimated Time Schedule: Within the 2006 calendar year.

Annual Maintenance/Operation Costs: No significant increase over current expenditures approximately \$3,000 per year.

Project: Whitney Building

Justification: Repairs and renovations to accommodate the District Attorney's Office.

Estimated Cost: \$500,000, \$300,000 in 2006 (Roll-over)

Method of Financing: Building and Maintenance Budget - 2.49 parish wide millage expiring in

2006

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: \$91,850

2006-103 Roads and Bridges Fund

Total Projects: \$100,000

Project: Raceland Lift Bridge

Justification: Main traffic connection between Hwy 1 and Hwy 308; in need of repair

Estimated Cost: \$100,000

Method of Financing: Roads and Bridges Budget - 4.32 parish wide millage expiring in 2008

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs:

2006-104 Drainage Fund

Total Projects: \$427,710

Project: Lease Purchase of one Knuckle Boom Tract Excavator-Super Long Front and one Knuckle Boom Tract Excavator - Regular

Justification: Replacement of inoperable/outdated equipment

Estimated Cost: \$77,710

Method of Financing: 4.80 parish wide millage (3.34 expires in 2006; 1.46 expires in 2008)

Estimated Time Schedule: \$77,710 per year through 2008

Annual Maintenance/Operation Costs: Equipment is under warranty, maintenance is minimal.

Project: State Wide Flood Control Match

Justification: Nolan Touns, LeBlanc Drive, Ozia Skyline, and West 54th Street

Estimated Cost: \$200,000 (Roll-over)

Method of Financing: 4.80 parish wide millage (3.34 expires in 2006; 1.46 expires in 2008)

Estimated Time Schedule: Pending State approval

Annual Maintenance/Operation Costs: unknown

Project: Leighton Pump Station

Justification:

Estimated Cost: \$100,000

Method of Financing: 4.80 parish wide millage (3.34 expires in 2006; 1.46 expires in 2008)

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: unknown

Project: Choupic Levee

Justification: Flood protection in the Choupic area

Estimated Cost: \$50,000 (Roll-over)

Method of Financing: 4.80 parish wide millage (3.34 expires in 2006; 1.46 expires in 2008)

Estimated Time Schedule: Pending Corps Permit approval

Annual Maintenance/Operation Costs: unknown

2006-107 Solid Waste Fund

Total Projects: \$18,000

Project: One Vehicle

Justification:

Estimated Cost: \$18,000

Method of Financing: .07 sales tax revenue

Estimated Time Schedule: December 31, 2005

Annual Maintenance/Operation Costs: Nominal costs limited to regular oil changes and scheduled maintenance.

2006-109 Board of Health Fund

Total Projects: \$1,072,281

Project: Renovation of Health Unit

Justification: Projected carry over balance for renovations to be completed in 2006

Estimated Cost: \$960,781 (Roll-over)

Method of Financing: 2.39 millage

Estimated Time Schedule: Within the 2006 calendar year

Annual Maintenance/Operation Costs:

Project: Purchase of Furniture and Equipment

Justification: New equipment and furniture needed for the expanded Health Unit

Estimated Cost: \$111,500 (Roll-over)

Method of Financing: 2.39 millage

Estimated Time Schedule: Within the 2006 calendar year

Annual Maintenance/Operation Costs:

2006-110 Recreation Fund

Total Projects: \$72,000

Project: Chackbay/Bayou Boeuf Tennis Courts

Justification: Current courts are in disrepair

Estimated Cost: \$60,000

Method of Financing: 1.65 parish wide millage – expires 2006

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: \$150 per year per court for net maintenance

Project: Restrooms at Hero's Park

Justification: There no restroom facilities on the park grounds

Estimated Cost: \$12,000

Method of Financing: 1.65 parish wide millage – expires 2006

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: Maintenance costs will be absorbed by the recreations district.

Project: Walking Trail/Pavillions

Justification: To improve public recreation resources

Estimated Cost: \$202,468

Method of Financing: 1.65 parish wide millage – expires 2006

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: Maintenance costs will be absorbed by the recreations

district.

2006-110 Veterans Memorial Fund

Total Projects: \$430,000

Project: Construction of Memorial in Ward 10

Justification: Purpose of the millage

Estimated Cost: \$430,000

Method of Financing: Within the Veterans Memorial District Ward 10 budget - 1.0 millage expiring in 2013.

Estimated Time Schedule: December 31, 2006

Annual Maintenance/Operation Costs: All costs to be supported by the millage.

2006-183 Coastal Zone Management Fund

Total Projects: \$800,000

Project: Locks

Justification: Flood prevention project with South Lafourche Levee District

Estimated Cost: \$750,000 (3 years 2005, 2006, 2007)

Method of Financing: Transfer from Royalty Fund to fund project match

Estimated Time Schedule: 2008

Annual Maintenance/Operation Costs: Not determined at this time

Project: Small Dredge Project

Justification: Maintain integrity of levee systems in the parish and other infrastructure.

Estimated Cost: \$50,000

Method of Financing: Transfer from Royalty Fund to fund project match

Estimated Time Schedule: 2008

Annual Maintenance/Operation Costs: Not determined at this time

The above Capital Outlay Budget projects dollar amounts shall be adjusted as per any amendments approved and not vetoed in the final 2006 Budget ordinance. At the December 13th meeting of the Parish Council, the Finance Department will present copies of this section and the fund cover sheets with appropriate adjustments made. By the end of February of 2006, the Finance Department shall prepare a Transfer of Appropriations to move all Capital Outlay Projects (excluding Road Sales Tax District Projects) into a new Capital Fund where project expenditures shall be made and accounted for individually by project code. The transfer figures should contain updated estimates of end of year rollover amounts.

2007 Capital Budget

2007-102 Building and Maintenance Fund

Total Projects: \$225,000

Project: Field Office A -Enlarge covered work area and interior renovation.

Justification: Maintain work productivity during inclement weather

Estimated Cost: \$50,000

Method of Financing: Pending millage renewal -2.49 expires in 2006

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs: The cost of maintaining this improvement will be nominal and is expected to be absorbed by the Department of Public Works and Building and Maintenance.

Project: Field Office B - Enlarge covered work area and interior renovation.

Justification: Maintain work productivity during inclement weather

Estimated Cost: \$50,000

Method of Financing: Pending millage renewal -2.49 expires in 2006

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs: The cost of maintaining this improvement will be nominal and is expected to be absorbed by the Department of Public Works and Building and Maintenance.

Project: Purchase of property for secured parking at the Barrios Building in Raceland

Justification: Additional parking space is needed for vehicles that are left at the facility overnight. Such as: Head Start buses, Community Action vans, Council on Aging buses, and other parish owned vehicles.

Estimated Cost: \$50,000

Method of Financing: Pending millage renewal -2.49 expires in 2006

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs: Nominal increase in annual cost of maintenance due to security lights.

Project: Sealing windows at 402 Green Street

Justification: Windows leak in stairwell, offices, public areas

Estimated Cost: \$75,000

Method of Financing: Pending millage renewal -2.49 expires in 2006

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs: Nominal increase in annual cost of maintenance due to security lights.

2007-103 Roads and Bridges Fund

Total Projects: \$506,800

Project: One Boom Tractor

Justification:

Estimated Cost: \$68,500

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule: December 31, 2007

Annual Maintenance/Operation Costs:

Project: One Side Mower Tractor

Justification:

Estimated Cost: \$52,500

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule: December 31, 2007

Annual Maintenance/Operation Costs

Project: Two Tractors w/Side and Rear Mower

Justification:

Estimated Cost: \$58,300

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule: December 31, 2007

Annual Maintenance/Operation Costs: New equipment under warranty, nominal costs for filters and oil changes

Project: Two ¾ Ton Pick Up Trucks

Justification:

Estimated Cost: \$42,000

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule: December 31, 2007

Annual Maintenance/Operation Costs:

Project: One Mini Excavator

Justification:

Estimated Cost: \$75,000

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule: Within the 2007 calendar year

Annual Maintenance/Operation Costs:

Project: One Tandem Dump Truck

Justification:

Estimated Cost: \$60,500

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule: Within the 2007 calendar year

Annual Maintenance/Operation Costs:

Project: Rita Bridge

Justification:

Estimated Cost: \$50,000

Method of Financing: Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule:

Annual Maintenance/Operation Costs:

Project: Mary Beth Bridge

Justification:

Estimated Cost: \$100,000

Method of Financing: Roads Roads and Bridges budget - 4.32 parish wide millage expires in 2008.

Estimated Time Schedule:

Annual Maintenance/Operation Costs:

2007-104 Drainage Fund

Total Projects: \$755,410

Project: Lease Purchase of one Knuckle Boom Tract Excavator-Super Long Front and one

Knuckle Boom Tract Excavator - Regular

Justification: Replacement of inoperable/outdated equipment

Estimated Cost: \$77,710

Method of Financing: 3.34 mills expire in 2006; 1.46 mills expires in 2008 **Estimated**

Time Schedule: \$77,710 per year through 2008

Annual Maintenance/Operation Costs: Equipment is under warranty, maintenance is minimal.

Project: One Mini Excavator

Justification:

Estimated Cost: \$75,000

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: One Tandem Dump Truck

Justification:

Estimated Cost: \$60,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: Two $\frac{3}{4}$ ton Pick up Trucks

Justification:

Estimated Cost: \$42,000

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: One Boom Tractor

Justification:

Estimated Cost: \$68,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: One Single Axle Dump Truck

Justification:

Estimated Cost: \$56,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: One 12” Portable Hydraulic Pump

Justification:

Estimated Cost: \$30,700

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Cost

Project: One 18” Portable Hydraulic Pump

Justification:

Estimated Cost: \$44,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Cost

Project: One 48” Pump @ Leighton Pump Station

Justification:

Estimated Cost: \$300,000

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Cost

2007-110 Recreation Fund

Total Projects: \$45,000

Project: Cement Boat Ramp at Sanchez Boat Launch

Justification: Improvement of boat launch

Estimated Cost: \$25,000

Method of Financing: 1.65 parish wide millage – expires 2006

Estimated Time Schedule: Pending passage of parish wide recreation millage

Annual Maintenance/Operation Costs:

Project: Gheens Pavilion renovation to include the addition of doors

Justification:

Estimated Cost: \$20,000

Method of Financing: 1.65 parish wide recreation millage expires in 2006

Estimated Time Schedule: Pending passage of parish wide recreation millage

Annual Maintenance/Operation Costs:

2007-110 Coastal Zone Management

Total Projects: \$750,000

Project: Locks

Justification: Local match for multi million dollar project to construct locks at Leon Theriot Flood Gates

Estimated Cost: \$750,000 (3 years 2005, 2006, 2007)

Method of Financing: Transfer from Royalty Fund to fund project match

Estimated Time Schedule: 2008
Annual Maintenance/Operation Costs:

2008 Capital Budget

2008-104 Drainage Fund

Total Projects: \$343,700

Project: One Mini Excavator

Justification:

Estimated Cost: \$75,000

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: One Tandem Dump Truck

Justification:

Estimated Cost: \$60,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending

Annual Maintenance/Operation Costs:

Project: One Boom Tractor

Justification:

Estimated Cost: \$68,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending passage of parish wide drainage millage

Annual Maintenance/Operation Costs:

Project: One Side Mower Tractor

Justification:

Estimated Cost: \$52,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending passage of parish wide drainage millage

Annual Maintenance/Operation Cost

Project: One Single Axle Dump Truck

Justification:

Estimated Cost: \$56,500

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending passage of parish wide drainage millage

Annual Maintenance/Operation Costs:

Project: One 12” Portable Hydraulic Pump

Justification:

Estimated Cost: \$30,700

Method of Financing: Pending millage renewal - 3.34 mills expire in 2006; 1.46 mills expires in 2008

Estimated Time Schedule: Pending passage of parish wide drainage millage

Annual Maintenance/Operation Cost

2009 Capital Budget

No projects projected at this time

2010 Capital Budget

No projects projected at this time

Mr. Atzenhoffer stated that 2006-110 Recreation Fund, Total Projects: \$72,000 should be corrected to state that Total Projects should include the increase of the \$202,468, thus the Total Projects should be \$274,468. He then explained that according to the Home Rule Charter, Capital Outlay projects from the previous year that were not completed be rolled over into the current year, and said further that the amendment contained some of the projects that were not completed or were not expected to be completed. Mr. Atzenhoffer then said that there was also a notation in the amendment that if necessary, there would be another amendment to the 2006 budget for any other projects that were projected to be finished in the current year but did not actually end up being done. Chairman Matherne clarified that Mr. Atzenhoffer’s amendment would take the projects that were started in the current year and place them in Capital Outlay for the 2006 year to ensure that the projects were followed through with. The above amendment *carried* by a vote nine (9) yeas and zero (0) nays.

Mr. Mark Atzenhoffer made a **motion** to defer the adoption of the 2006 Maintenance and Operations budget until the special meeting of the Council to be held on November 29, 2005, seconded by Mr. Phillip Gouaux, and *carried* by a vote of nine (9) yeas and zero (0) nays.

ORDINANCE DEFERRED UNTIL NOVEMBER 29, 2005

The next item (9) on the agenda was an ordinance establishing a 20 miles per hour speed limit on Lee Drive from its intersection with Parish Road to Tregre Lane; authorizing the installation of speed limit signs; and authorizing penalties of violators thereof. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Mark Atzenhoffer. The motion *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Brent Callais who was not present in the room at the time of the vote.

ORD. NO. 3697 20 MILES PER HOUR SPEED LIMIT ON LEE DRIVE

The next item (10) on the agenda was an ordinance approving a servitude agreement accepting the private street known as Landry Lane between Norbert E. Landry et als and the Lafourche Parish Council; accepting Landry Lane into the parish system; and authorizing the Parish President to sign, execute and administer said agreement. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Michael Delatte and seconded by Dr. Tommy Lasseigne. Mr. Gouaux stated that he wanted to make certain that the Administration had gone through the proper legal channels in order to make sure that the street being spoken of met all the criteria of the Parish before it would be accepted in the Parish system. He went on to say that there would be a lot of streets coming into the system. Dr. Lasseigne said he had various street issues because the Parish had been maintaining them for twenty (20) and thirty (30) years and then

they just stopped. He said he assumed that the Parish's documentation did not show the areas of the streets where the Parish was not performing work. Dr. Lasseigne said that he would like to see if there would be a way to bring in streets that the Parish had been maintaining. He then spoke about a woman who lived on a street that the Parish had been maintaining for the last twenty-five (25) years and the process that she was going through in order to have the Parish accept the street. Dr. Lasseigne asked if there was anything that could be done since the Parish had been maintaining the streets for a certain amount of time in order to bring them into the Parish system. He said that it was simple common sense that streets being spoken of should be done, but that he realized that legally the Parish had to be appropriate. Mr. Morvant advised the Council that there was no automatic transfer of ownership of the roads, saying that maintaining the roads allowed the Parish to file a cause of action to expropriate or take the property from the particular person if it was used in excess of three (3) years. He then said that it did get a little more complicated than that, saying that the Supreme Court has said that it was more than just grading a road periodically or moving of gravel. Mr. Morvant said that there had to be a maintenance schedule. He said that one of the problems that had been encountered in the Parish when trying take a road or property from someone was that there were no maintenance records to show that the Parish had maintained the road. Mr. Morvant reiterated that because the Parish had maintained a road for several years that it would not automatically transferred to the Parish, adding that there had to be something in the courthouse showing a transfer or ownership. He said that a proceeding would have to be filed against the property owner and also have it proven that the Parish regularly maintained the property for several years. President Randolph said that in addition to what Mr. Morvant had just said, that the street had to be in a condition acceptable to the ordinance in place. She said that regular maintenance was one issue, but that there were other criteria also. An amendment was offered by Mr. Michael Delatte, seconded by Mr. Mark Atzenhoffer to include the land owner Adam Louque to the ordinance and an additional servitude agreement. Mr. Gouaux asked if the street being spoken of was being taken in because it was already in the Parish system or because the Parish had done maintenance to it in the past and that it meet all the required criteria? Mr. Delatte stated that the road did meet all of the criteria. He said that the Parish had paid to blacktop the street, and further that it meet all the requirements, as far as he was aware. Mr. Delatte then said that all of the landowners have signed documentation giving the Parish authority to take over the road. He said that the road had been maintained by the Parish for the last thirty (30) years and that it had been blacktopped and paid for by the Parish. Mr. Delatte said that what made the difference was that the road was already hard surfaced and met all of the required criteria. He said that accepting the road be spoken of was no different then from accepting one in a newly developed subdivision. Mr. Delatte said that what was trying to be done was to correct some problems of the past where the streets were not legally taken in even though they met the Parish standards. Mr. Gouaux said that he still did not understand why the Parish blacktopped a private piece of property, and added that now because of an error it would taken into the system. He said that he was aware that this was not the only road that had happened with, but added that there were a lot roads and streets that had be done to, and then inquired if all of the streets done in error should be accepted. Mr. Gouaux said that the matter at hand would set a precedent on what would happen in the future. He said that he wanted to make sure legally that the Parish was going in the right direction. Mr. Gouaux said that he had streets in his district that were questionable. He said that he wanted to make certain that the Parish was not incurring anymore liability then it should. Mr. Morvant asked Mr. Delatte if the landowners of the road being spoken of had signed documentation transferring ownership to the Parish? Mr. Delatte said that was correct. Mr. Morvant said that there had to be transfer documents or a lawsuit filed, adding that the landowners in the current situation had already signed such documents. Mr. Gouaux asked if the signing of the documentation had been done recently, to which Mr. Delatte stated in the past few months. Mr. Callais pointed out that the ordinance stated that the length of the street was 450 feet, and that the length in the servitude agreement was stated as being 455 feet more or less, asking which length was going to be accepted? Mr. Michael Delatte said that in the area being spoken

the property descriptions were not correct. Mr. Callais said that would cause a problem of how far the Parish should go and that he wanted to clear that up before accepting it. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. Dr. Lasseigne then asked if the street was going to be paved by the Parish, to which Mr. Delatte advised him that the street was already paved and that it would be re-paved. Dr. Lasseigne said that he would vote for the ordinance because he thought there should be a right or authority by the Council to do such a process. He then asked how Landry Lane, the road being spoken about, differed from the street he had mentioned earlier if he obtained documentation from the landowners to transfer ownership, even though it was not up to Parish standards, as he pointed out that Landry Lane was obviously not up to Parish standards if it had to be resurfaced. President Randolph said that the ordinance that governed Parish standards said that the road or street must be hard surfaced in order for the Parish to accept it into the system. Dr. Lasseigne then asked why was there two (2) miles of roads in his district being paved when they were limestone that had been previously been accepted in. He said that what was being said was that the Parish could accept in a private road and then do work on it even though it was not up to standards, saying that if the road was up to standards, it would not be being resurfaced. Dr. Lasseigne asked why would the Parish be resurfacing a road that was up to standard? President Randolph said that was being done with public streets, such as Sanchez Road, saying that it was hard surfaced but was in deplorable condition. She said this was correcting an error, saying that the error was that the street had been hard surfaced to begin with. President Randolph said that some former Council and Administration had hard surfaced streets without supporting documents. She said what was trying to be done, with the guidance of the District Attorney, was to make certain that the Parish had the needed documentation to support it and that the streets met the required criteria. President Randolph said that there were streets that were grand fathered in because they were accepted into the system prior to the current ordinance adopted by the Council. Dr. Lasseigne asked if it was known that it was the Parish who paved the road being spoken of if there was no documentation? He asked what records were had that the Parish had paved the streets? Mr. Curole said that what was being spoken about in the current issue was the last 400 to 500 feet of a 1,300 feet long road, and he said that by a looking at it, it could be seen that all 1,300 feet of the street was paved at the same time in the 1960's or 1970's. He said the difference was an aggregate street versus a hard surfaced street. Mr. Lorraine pointed out that it was possible the street being spoken of was done before the passing of the ordinance and that it should be grand fathered in. He said that he had a street in his district that had been paved many years ago that no paperwork can be found on. Mr. Toups said that it seemed to him that in the 1960's and 1970's the police jury did streets in the Chackbay area but did not do the paperwork correctly. He said at the time the roads may have been taken in with a handshake. Mr. Toups said that what he thought Mr. Delatte was trying to do was to correct it. Mr. Gouaux asked what would be the procedure used for the streets that would be question? He asked who would do the research, asking if that would be Mr. Curole who would do that? Mr. Curole said that could be done, and that he would get Mr. Cheramie to get Mr. David Poincon and a person at the Clerk of Court's office, whose name he could not recall, to assist with research. He then said that what he had found was that the residents on the streets in questions had records in their personal records. Mr. Curole said that he would get Mr. Poincon to research the streets, adding that it would not be a bad idea to also get the individual to help. Mr. Gouaux said that he had a number of streets that he would be sending to Mr. Curole, adding that he was leery about taking in streets. He said he felt that the Council was opening up a can of worms that the Parish could not handle. The ordinance as amended *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux.

ORD. NO. 3698

ACCEPT PRIVATE STREET, LANDRY LANE

The next item (11) on the agenda was an ordinance enacting Section 2:352 of Sub-Chapter "C" of Chapter 2 of the Code of Ordinances to institute a Use of Parish-Owned Vehicles Policy. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Daniel Lorraine and seconded

by Dr. Tommy Lasseigne. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Mark Atzenhoffer.

ORD. NO. 3699

USE OF PARISH-OWNED VEHICLES POLICY

President Randolph stated that item (11) had been mis-characterized by the media as being private use of Parish vehicle. She said that at no time had that occurred. President Randolph said that if Mr. Lorraine had inquired from the Administration he would have known that the policy was in place earlier in the previous year, with the exception of the driver of a Parish owned vehicle shall be an employee. She said that all other parts of the policy had been in place and that it was made certain that all employees who needed vehicles had vehicles and further that there was no misuse of vehicles. President Randolph stated that due to her weight and size it would be difficult for her to change a flat tire and added that the policy would be abided by.

The next item (12) on the agenda was an ordinance providing a variance from certain Lafourche Parish Subdivision regulations and waiver of permitting fees for Habitat for Humanities Developments on East 22nd Street in Larose, Greenville and St. Patrick Streets in Raceland, and in the Marydale Community in Thibodaux, subject to a positive recommendation by the Lafourche Parish Planning Commission. Chairman Matherne asked if anyone from the public wanted to speak on the proposed ordinance. Mrs. Marian Fertitta addressed the Council by stating that she was the President of the Bayou Area Habitat for Humanity affiliate. She said that Habitat for Humanity had been receiving a lot of publicity, especially she said, with their hurricane recovery efforts. Mrs. Fertitta said that she was excited to let the Council know that Habitat for Humanity International has been helping them and further that they were in the process of shipping Homes In A Box. She said that Habitat for Humanity International would also be sending volunteers from all over the country. Mrs. Fertitta said that these homes would be for displaced residents, and possibly anyone else who had lost a home or was in need of repair. She said that with the publicity that Habitat for Humanity International was receiving, that her organization would also be receiving positive publicity. Mrs. Fertitta said that Habitat for Humanity was a unique organization with unique needs. She said that they appreciated that opportunity to speak at a previous meeting and further that they appreciated the Council's consideration on the current ordinance. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Mark Atzenhoffer. Mr. Atzenhoffer said that all this ordinance was saying was that if the Planning Commission gave a favorable vote on a variance then the Council would accept it. He said that the current Council had only went against the Planning Commission's decision once. Chairman Matherne verified that this ordinance applied to the above listed projects only. Mr. Atzenhoffer said that was correct, and added that it was only for Habitat for Humanity. He advised anyone who had a concern or grievance about a variance that the place to handle it was with the Planning Commission. Mr. Atzenhoffer said that he would appreciate everyone's support. Dr. Lasseigne said that usually the Council approved the variance after the Planning Commission approved it. He clarified that if the Planning Commission approved the variances, that it would not come back before the Council. Mr. Atzenhoffer said that if the Planning Commission gave a negative recommendation, that the variances would have to come back before the Council. Mr. Atzenhoffer said that if Dr. Lasseigne wanted to offer an amendment to be notified of the Planning Commission's decision that could be done. Dr. Lasseigne said that what he was concerned about was if there were concerns from fire chiefs with regards to recommended lot sizes. He said he thought that Habitat for Humanity did a great job, and added that he thought Louisiana to be one the biggest beneficiaries in the nation. Mr. Atzenhoffer said that the place to have such a discussion was at the Planning Commission. He said that the fire chiefs would bring up their concerns, adding that the fire chiefs in his district did not have the same concerns as the fire chiefs in Mr. Gouaux's district. Mr. Toups asked how much money the organization received? Mrs. Fertitta said that they had requested \$1.4 million dollars to

purchase property and further that they had recently sent twenty-five (25) Homes In A Box that were ready to be put up. Mr. Toups said that he could agree to the variances but then mentioned something about waiving permits, asking if Habitat for Humanity could not afford the permits? Mrs. Fertitta said that was something that was done in the City of Thibodaux and that it had also been done in Terrebonne Parish where they had built houses. She said that the waiving of the permits was something that was done for the Habitat for Humanity, explaining that any charges that they incurred had to be passed onto the homeowners. Mrs. Fertitta said that the waiving of the permits helped out the homeowners. She said that the organization was a non-profit organization and that the homes were sold to people who could not afford a conventional loan, saying that they do the loans for 0% interest. She reiterate that any charge that the organization incurred had to be passed onto the homeowner in the price of the house, adding that they tried to keep those charges down. Dr. Lasseigne said that the permitting fees were not significant and said that the variances were a small price to pay for a significant number of houses for residents of the Parish. Chairman Matherne read an **amendment** offered by Mr. Gouaux to exclude the variance pertaining to the minimum fifty (50') frontage on the lots proposed due to fire safety, as well as access to back yards with the proposed houses having a width of 37.5 feet would not allow sufficient spaces between houses. Chairman Matherne clarified that Mr. Gouaux's amendment was to change the front footage from 37.5 feet to 50'. Mr. Gouaux stated that was not correct. He said that the frontage would be changed from 50' to 60', as that was what was in the present ordinance. Mr. Gouaux said that the reason for the amendment was for various reasons. He said that he had spoken to the Fire Chief Association and was advised that they, along with the fire districts, were against the fifty (50') front footage because of safety. Mr. Gouaux said that in his district most of the people staying in Habitat for Humanity homes would be fishermen, saying that their boats would have to be parked in the front yard which would take away from its appearance. Mr. Lindel Toups seconded the amendment. Mr. Gouaux reiterated his reasons for his amendment and said that if variances wanted to be granted in the other areas he would not vote for it because of safety reasons. Dr. Lasseigne stated that in the City of Thibodaux the side limits of lots were five (5') feet. After a brief calculation, Dr. Lasseigne said he could live with the variances being suggested. Mr. Toups asked Mrs. Fertitta what she felt about having the lot sizes changed to having 60' frontage versus 50'. Mrs. Fertitta said that typically the organization's houses that had been built and other properties where construction was about to begin, the lots were fifty (50') feet or less. She said that the reason they were asking for a variance was because going to sixty (60') feet lots would mean that for every sixth (6th) lot, one (1) lot would be lost. Mrs. Fertitta stated that the organization was looking at East 22nd and stated that it was a typically a run down neighborhood, adding that the idea would be to have Habitat for Humanity go in and build enough houses to make the neighborhood look good. She said that the homeowners would take good care of their property, which in turn made other neighbors start taking care of their property also. She said that this was a long term plan, saying that they were expecting to go in and build twenty (20) homes very soon in Larose. Mrs. Fertitta said that their long term plan was to eventually take the other forty (40) lots and build some homes. Mr. Toups calculated that there would be approximately sixteen (16') between each house. Mrs. Fertitta said that in Thibodaux a house had just been erected on a 42 foot lot, adding that they looked very nice and were in North Thibodaux. She said that all over Thibodaux and Houma, that was how close the houses had been put, and that no problems had been had. Mr. Toups said that he could not understand why Mr. Gouaux made his amendment because there would be sufficient space on either side of the house, and added that if someone could afford a boat to fish, they should be able to afford a home. Mrs. Fertitta said that a lot of fishermen parked their boats docked in the bayou. She said that the organization would like the Council to consider the variances, and added that it had been done before. Mr. Atzenhoffer said that if Mr. Gouaux was opposed to variance being granted in his district, that he should make an amendment pertaining to East 22nd Street specifically. Mr. Lorraine said that could not be done, to which Mr. Atzenhoffer stated that East 22nd could be pulled from the ordinance and that Mr. Gouaux could submit his own ordinance under his rules for his district at a later time. He said that there

were no problems with the other named streets, and that he was asking that the Council vote down Mr. Gouaux's amendment and vote for the ordinance so this could get done. Mr. Gouaux asked Mrs. Fertitta if doing what was being proposed would in any way hurt or cease her project, to which she responded that the project would be put on the back burner. Mr. Gouaux said that with what the fire chiefs had told him, he could not, with a good heart, go forth and vote for it. Mrs. Fertitta said that Mr. Mike Naquin was the Fire Chief in Thibodaux and she stated that he had never backed down on any of the variances that the organization had gotten previously. Mr. Gouaux said that Mr. Naquin had opposed the Thibodaux variances, to which Mrs. Fertitta stated that they still had built the homes. The amendment *failed* by a vote of one (1) yea, that being of Mr. Phillip Gouaux, and eight (8) nays. The ordinance *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Phillip Gouaux.

ORD. NO. 3700 VARIANCES & WAIVER OF PERMITTING FEES, HABITAT FOR HUMANITIES DEVELOPMENTS

The next item (13) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision Regulations at Oak Manor Subdivision, Addendum No. 2, Ward 11, District 4, as recommended by the Lafourche Parish Planning Commission at their October 27, 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 and seconded by Mr. Michael Matherne. Mr. Gouaux inquired as to what the variance was for? Mr. Atzenhoffer advised that it was a cul-de-sac and then gave the dimensions of same. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3701 VARIANCE, OAK MANOR SUBDIVISION, ADDENDUM NO. 2,

The next item (14) on the agenda was an ordinance providing a variance from the Lafourche Parish Subdivision regulations at Crape Myrtle Place Subdivision, Addendum No. 2, Ward 1, District 2, as recommended by the Lafourche Parish Planning commission at their October 27, 2005 meeting. Chairman Matherne asked three times if anyone from the public wanted to speak on the proposed ordinance. Hearing none, Chairman Matherne moved for a motion. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Michael Matherne and *carried* by a vote of eight (8), zero (0) nays, and one (1) absent, that being of Mr. Mark Atzenhoffer who was not present in the room at the time of the vote.

ORD. NO. 3702 VARIANCE, CRAPE MYRTLE PLACE SUBDIVISION, ADD. NO. 2

The next item (15) on the agenda was an ordinance approving the release and revocation of any and all prior servitudes granted by Acadia Agricultural Holdings, LLC, and their ancestors in title in connection with the relocation of the Forty Arpent Drainage servitude between Acadia Plantation and the Lafourche Parish Council; and authorizing the Parish President to sign, execute and administer all documents. Chairman Matherne asked once if anyone from the public wanted to speak on the proposed ordinance. Mr. Joseph "Joe" Fertitta addressed the Council, stating that he lived next door to the development by discussed. He said that he was concerned about relinquishing Parish servitudes and right-of-ways in the subdivision. Mr. Fertitta advised that one (1) of the drainage ditches that led to a culvert that drained through Louisiana Highway 1 had already been filled in. He said that if the Parish gave up servitudes and drainage in the subdivision, drainage problems would be incurred again in the Country Club and surrounding areas. Mr. Fertitta said that he thought it to be a mistake for the Parish to relinquish servitudes that it had been having for a long time. He then spoke of the talk surrounding the relocation of the 40 Arpent Canal. Mr. Fertitta said that the Parish had the servitudes and had been having them for a number of years. Chairman Matherne 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 Dr. Tommy Lasseigne and seconded by Mr. Mark Atzenhoffer. Mr. Curole informed Mr. Fertitta that the previous servitude given to the Parish jumped from the right bank to the left bank of the canal. He then told Mr. Fertitta that the current landowner had now given the Parish a right-of-way on one (1) side in order that equipment may be gotten in. Mr. Curole pointed

out that the 40 Arpent Canal was not be relocated, but the servitude that was being relocated. He said that a new servitude was obtained a few months prior that granted use on one (1) side so that there could be access. Mr. Curole explained that since older documents had been used for the acquisition of the right-of-way, that the old servitude had not been returned to the landowner. He said that this ordinance was a correction to an ordinance that passed several months prior, where as a new right-of-way was given that would supply more access. Dr. Lasseigne stated that he had looked into this matter also, due to concerns and the area being spoken of being in his district. He explained that what this was, was a formalization and correction of how the original right-of-way was done and further to ensure that in the future there were no questions as to whether there was a right-of-way or not in the area. Mr. Callais said that he wanted to make sure the Department of Public Works was okay with this ordinance. Mr. Cheramie stated that he met with someone and had viewed the drawings of the previous right-of-way versus the new right-of-way and he stated that it made sense. He explained that there were areas where the right-of-way along the 40 Arpent Canal was fifty (50') feet wide and then in some areas there was only a ten (10') feet right-of-way. Mr. Cheramie said that now, enough right-of-way had been given so that one (1) side of the reservoir could be accessed so that all needed work could be accomplished. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3703 RELEASE & REVOCATION, SERVITUDES, RELOCATION OF 40 ARPENT DRAINAGE SERVITUDE

Next, a motion was offered by Mr. Mark Atzenhoffer seconded by Mr. Daniel Lorraine, 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 (16) on the agenda was a proposed ordinance approving a servitude agreement between Anthony J. Rouse, Joyce G. Rouse, Timothy J. Acosta, Cynthia R. Acosta, Harris J. Theriot, Jr., Marian Sue R. Theriot and the Lafourche Parish Council to operate and maintain a maintenance servitude of a drainage canal in Ward 3, District 4. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SERVITUDE AGREEMENT, ROUSE', ACOSTA', THERIOT'

The next item (17) on the agenda was a proposed ordinance authorizing the Parish President to enter into an Act of Donation to acquire property in Abby Plantation Estates Subdivision belonging to Mr. & Mrs. Lynn Dean, in the facilitation of a recreational area, and to execute any and all documents pertaining to said Act of Donation. A **motion** was offered by Mr. Tyrone Williams to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ACT OF DONATION. MR. & MRS. LYNN DEAN

The next item (18) on the agenda was a proposed ordinance approving Emergency Pay Policy and adding said policy to the Lafourche Parish Government Employee Manual. A motion was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance. Dr. Lasseigne asked for clarification on the proposed ordinance. He first asked if what was meant by paragraph 2 of the proposed ordinance was that both nonexempt and exempt employees, excluding department heads, would receive double-time- and-a-half in an emergency situation? Mr. Curole responded yes, and stated that was the same language that was contained in the civil service guide. He said that it would only be for the normal scheduled working hours. Dr. Lasseigne then inquired as to whether paragraph 5 of the proposed ordinance was meant to make good all of those employees who had received overtime pay which the District Attorney had determined to be inappropriate, asking if what was wanted was to make payments that were deemed not okay to be made retroactively okay? Chairman Matherne stated that sounded accurate to him. President Randolph pointed out that many other parishes had adopted the same policy. She said because of the unusual circumstances

of the recent emergencies, they had expected that the people who had objected to the pay policy to come up with a policy for the Parish. President Randolph said that the Parish was very dependent upon employees to be there during storms and she felt that situation needed to be addressed quickly. She pointed out that one-third (1/3) of the Council had evacuated for the previous storms. President Randolph said that the duties had to be assigned prior to the emergency taking place. She said that if employees were expected to be working above and beyond their normal hours then they should be compensated for it. President Randolph said that the policy was being proposed for discussion, adding that she was disappointed that people would make up the minds on how they would vote on it prior to having a discussion on it or having input on it. She said that the personnel manual was also being presented at the November 22, 2005 meeting for the consideration of the Council. President Randolph said that the employees who had worked during the past storms were essential to response to the emergency. She reiterated that many other parishes had agreed to pass this policy retroactively. President Randolph said that it was important that a policy be in place. She said that was why the policy had been proposed, so that the Council could discuss and possibly come up with a better plan. President Randolph stated that no other policy had been proposed, so one was drafted so that discussions on the matter could begin.

PROPOSED ORDINANCE EMERGENCY PAY POLICY

RESOLUTIONS

The next item (19) on the agenda was a resolution approving an agreement for Professional Services between J. Wayne Plaisance, Inc. and Lafourche Parish to engineer concrete streets in Road Sales Tax District 3, 5 and 6, Project 3G; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was made by Mr. Lindel Toups and seconded by Mr. Phillip Gouaux. Mr. Atzenhoffer stated that twelve (12%) of \$461,000 was being paid to engineer seven (7) concrete panels. He stated that all the panels would basically be the same, as well as all of the half panels. He estimated that approximately \$48,000 would be paid to design seven (7) panels. A brief discussion ensued regarding how Mr. Atzenhoffer had calculated seven (7) panels needed to be engineered, which he then explained. Mr. Atzenhoffer said that his point was that the Parish was paying someone twelve (12%) percent of a costs to design seven (7) panels, which he said he would venture to say would not be that different on Robin Street and Fantastic Boulevard. He said that if a flat rate could be gotten for this project, it would be better. Mr. Toups stated that what Mr. Atzenhoffer did not understand was that an engineer was needed to be at the project sites in order to watch that the job was being done correctly. Mr. Atzenhoffer said that Mr. Larry J. Picciola with Larry J. Picciola, Inc. was also being paid three (3%) percent to oversee the project. Mr. Atzenhoffer was corrected in that Mr. Picciola was being paid two (2%) percent. A brief discussion ensued regarding the matter. Mr. Toups said that Mr. Picciola would not have someone at the project sites everyday, whereas he assumed J. Wayne Plaisance, Inc. would. Mr. Toups stated that he thought it to be a small price to pay to assure that the right material and mixture were used. He said that he agreed with Mr. Atzenhoffer in that it was a lot of money, but said that a service was being had. Mr. Atzenhoffer asked if there was a mistake made or if a panel cracked within a one (1) years time, who would warranty it, asking if it would be engineer or the person who laid the concrete? Mr. Toups stated that he would think the person who laid the concrete. He then said that the engineer may need to be gone to because he had done the engineering work on the panel. Mr. Toups said that he felt the same way about engineers and lawyers as Mr. Atzenhoffer did. Mr. Gouaux said that the area for the panels may be the same, but that core samples and other things will need to be done. He said that he would like Mr. Plaisance to approach the Council and explain the difference between each panel. Mr. John Plaisance informed the Council that as Mr. Toups had said, the Parish was paying for them to be at the project site at all times when the contractor was there. He said that the particular type of work being spoken about would take a long time to complete considering the amount of money that would spent. Mr. Plaisance said that \$460,000 could be spent on an asphalt street in two (2) weeks but said that it would take four (4)

months to do that with concrete streets. He said that although the panels may be designed the same, each sub-base would have to be checked each time. Mr. Plaisance said that he could not go and check just one (1) sub-base on a street, adding that they would need to be present for every panel to check that. He said that twelve (12%) percent may sound like a lot of money, but that when it was broken down, a lot of profit would not be being made on the project. Dr. Lasseigne stated that he had ridden down Fantastic Acres and asked if core samples would be done on all of the panels there? Mr. Plaisance said that he had driven down Fantastic Acres but added that he had not been hired yet and that he had not done any work on that, but that he would assume that many core samples would be taken on the street. Mr. Lorraine said that regardless if the price was high or not, this was something that needed to be done. He said that without engineers many streets would have fallen apart by this time. Mr. Lorraine said that whether it was liked or not, engineers were needed. Mr. Atzenhoffer said that he understood that the panels needed to be engineered, adding that his problem was with the contract. He said that according to the contract, if core samples were done the Parish would have to pay for those plus a cost multiplier of 1.5. Mr. Atzenhoffer stated that his problem was not with the engineer or whether the work would get done, but the contract left the Parish open to paying more than the just twelve (12%) percent. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 05-268 APPROVE AGREEMENT, J. WAYNE PLAISANCE, INC., RSTD 3,5, AND 6, PROJECT 3G

The next item (20) on the agenda was a resolution approving the issuance of not exceeding \$500,000 of Revenue Anticipation Notes, of Hospital Service District No. 1 of the Parish of Lafourche, State of Louisiana. A **motion** was made by Mr. Brent Callais and seconded by Mr. Phillip Gouaux. Mr. Callais explained that post-Katrina, the district was looking to obtain a line of credit in case of future catastrophes. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 05-269 APPROVE ISSUANCE REVENUE ANTICIPATION NOTES, OF HOSPITAL SERVICE DISTRICT NO. 1

The next item (21) on the agenda was a resolution requesting the Lafourche Parish District Attorney to render an opinion to determine if temporary or one time right-of-ways have to be approved by the Lafourche Parish Council. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Dr. Tommy Lasseigne. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Lindel Touns.

RES. NO. 05-270 DA OPINION, TEMPORARY OR ONE TIME RIGHT-OF-WAYS

The next item (22) on the agenda was a resolution requesting the Lafourche Parish District Attorney to render an opinion to determine whether or not the 2005 Maintenance and Operations Budget falls under the current or previous Home Rule Charter . The resolution was *withdrawn*.

RESOLUTION WITHDRAWN

The next item (23) on the agenda was a resolution requesting the Louisiana Department of Transportation and Development to reduce the speed limit on Louisiana Highway 182 between Louisiana Highway 3087 and 316, from 50 miles per hour to 35 or 40 miles per hour, due to an increase in the number of accidents and the new school faculty parking lot entering Highway 182. A **motion** was made by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Dr. Lasseigne asked whether the speed limit was going to be made 35 miles per hour or 40 miles per hour, to which Mr. Atzenhoffer stated that once a study was done, the State would base the speed limit upon the study. The motion *carried* by a vote of nine (9) yeas and zero (0) nays

RES. NO. 05-271 REDUCE SPEED LIMIT, LA HWY. 182 BETWEEN LOUISIANA HIGHWAY 3087 AND 316, 50 MPH TO 35 OR 40 MPH

The next item (24) on the agenda was a resolution requesting the Administration to exempt citizens of Lafourche Parish from having to pay the permit fee when filing the necessary documents for repairs due to Hurricanes Katrina and Rita. A **motion** was made by Mr. Lindel Touns and seconded by Mr. Mark Atzenhoffer. President Randolph stated that other parishes had also done this. She then said that initially

FEMA had said that all permits were necessary and that it had been assumed that fees had to be collected. President Randolph stated that there had been some relinquishment of that assumption in saying that proper documentation was needed. Mr. Toups said that he received a few calls regarding the issue, to which President Randolph said that she had also received calls on the matter. Mr. Toups said that half of the people were not getting permits, and that contracts were not getting permits. He reasoned that maybe if the permits were free, people would get them. President Randolph stated that they would look in to how to get the request facilitated. Mr. Lorraine inquired as to whether there was a stipulation regarding no need for a permit if the costs of the repair was less than half of the value of the home? President Randolph stated that was not so with FEMA. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

**RES. NO. 05-272 EXEMPT CITIZENS, PERMIT FEE, REPAIRS DUE TO
HURRICANES KATRINA AND RITA**

A motion was made by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais to limit discussions to three (3) minutes, and *carried* by a vote of nine (9) yeas, and zero (0) nays.

DISCUSSIONS

The next item (25) on the agenda was a discussion concerning concrete streets versus asphalt streets in new developments. Mr. Gouaux said that a good example of the costs of repairs on concrete streets had been seen earlier in the November 22, 2005 meeting. He said that he would like the Administration to look at the problem that was being incurred, and stated that maybe concrete streets may want to be eliminated with regards to future developments. Mr. Gouaux then mentioned several other reasons for the problems being had with the concrete streets. He said that for the price being paid for the concrete streets a lot more asphalt streets could be done. Mr. Gouaux reiterated that he would like the Administration to come back before the Council with criteria or a brief study on differences between the costs and repairs of the two (2) types of streets so that an educated decision could be made.

The next item (26) on the agenda was a discussion concerning new construction criteria. The possibility of adopting an ordinance that would mandate criteria that would reduce the damage from storms to homes and businesses. Mr. Gouaux said that most of the surrounding parishes had some criteria regarding this matter in place. He said that he thought that Lafourche Parish should have criteria in place also in order to reduce the amount of damage that could be caused from hurricanes and the like. He said that he would also like the Administration to research the neighboring parishes in order to see what criteria they were enforcing. Mr. Gouaux said that the he hoped that after the first of 2006, that something could be done. Dr. Lasseigne offered that he was not a fan of zoning but that he would support building restrictions. He said that it was simple in that the IBC,(the International Building Code), or other building codes could be adopted. He said that better built structures would be had, along with more equitable competition. Mr. Gouaux said that by having some criteria in place, the Parish residents would benefit as far as insurance premiums were concerned. He said that if increased strength or support was had that would assist in the prevention of damage to a home, then an insurance company would give one a break on their premiums. He sated that he thought this to be a good thing and further that he hoped that the Parish could go forth and place some restrictions.

The next item (27) on the agenda was a discussion concerning price gouging. This discussion topic was pulled.

The next item (28) on the agenda was a discussion concerning the Youth Council. Mr. Gouaux relinquished his time Mr. Ron Sapia. Mr. Ron Sapia began by stating that no one had appointed members to the Youth Council as of the present time, with the exception of Mr. Gouaux and President Randolph. He then spoke of the young children who had been given proclamations at the beginning of the November 22,

2005 meeting as being the future government. Mr. Sapia said that the Youth Council wanted those children to have a voice in government in the future. He said that he wanted to remind the Council that each council member needed to appoint someone from the age of fifteen (15) to eighteen (18) years old to the Youth Council. Mr. Sapia said that he would recommend that if the Council had troubling finding someone to appoint, that they could speak to the high school principals in their districts as they could advise of qualified students that could serve on the Youth Council.

The next item (29) on the agenda was a discussion concerning the report Ledet Management Consulting submitted to the Administration regarding the updating of the parish policy manual. Mr. Lorraine began by stating that his hobby was not attacking parish presidents or the administration, but that his hobbies were fishing, hunting and getting things done right. He then showed the Council the personnel manual that he said was currently in effect. Mr. Lorraine said that the table of contents of the personnel manual contained fifty-four (54) items, and that one (1) item was missing in the manual, that being the Use of Council vehicles. He said that the present Council had passed a resolution on September 28., 2004 unanimously to approve professional services with Ledet Management Consulting to provide consultation and services. Mr. Lorraine pointed out that the resolution had been passed on September 28, 2004 and that a letter was sent to Ms. Ledet on October 21, 2004 advising of the passage of the resolution to have the policy manual updated, which he added had never been done. Mr. Lorraine said that the items that needed to be updated and were to be worked on were disaster emergency preparedness, computer internet usage, cell phone, electronic communications, use of parish vehicles, drug-free workplace, workplace violence, employee medical records, and smoke-free workplace. He then said that the project time schedule was an anticipated start date of October 1, 2004 with a four (4) month completion time period or by February 1, 2005, adding that if additional consulting services were needed a projected time and additional costs would be provided. Mr. Lorraine said that the costs of the completed project was a fixed fee of \$4,500. He continued to read from the proposal regarding the payment schedule. He said that he would assume that the fee had been paid and that the contract was signed on September 30, 2004 by Ms. Ledet and by President Randolph on October 4, 2004. He then continued to read the proposal with regards to expenses such as copying and the like. Mr. Lorraine said that the point he was trying to make was that the Council had authorized the project on September 28, 2004, and should have received a report in February of 2005. He stated that it was now almost February of 2006, and added that if he had not looked into the matter that the policy would still not be had. Mr. Lorraine said that if Parish Provided Vehicles were looked at 4.03, it was stated very clearly that Ms. Ledet's recommendation to the Council was what she would like was to have the policy provide vehicles for employees to use as required in the performance of the job related duties, adding that only authorized parish employees would be allowed to operate or travel in a parish owned vehicle. He repeated that only authorized parish employees would be allowed to operate or travel in a parish owned vehicle. Mr. Lorraine said that the study had been paid, and that he had requested that Ms. Ledet be present at the Council meeting in order to give a report on the matter, but he stated, that she was out of town. He asked how was the manual to be adopted if a report had never been received? He then told the Council that he had the report, and then showed them the old policy manual, and added that it was something that should have been brought to th Council since February 2005.

The next item (30) on the agenda was a discussion concerning recycled material in Road Sales Tax District No. 2. Mr. Lorraine said this problem had been taken care of.

Dr. Lasseigne then asked if the blue binder they had received at the beginning of the meeting contained the old or new manual? Mr. Curole stated that the blue binder contained the compilations of what had been recommended by Ms. Ledet, along with suggestions from the Lafourche Parish Risk Manager, Human Resource Director and the Civil Service Director. Mr. Curole said that they would be meeting on December 1, 2005 with Ms. Ledet and invited any of the councilmen to attend if they so wished. He said that any edits could be submitted by the Council and that one (1) of the councilman would be asked to

sponsor the adoption of the policy manual.

ADJOURNMENT

On **motion** by Mr. Daniel Lorraine, seconded by Mr. Michael Delatte, and with no further business, the Lafourche Parish Council Meeting of November 22, 2005 **adjourned** at 8:57 p.m.

**MICHAEL MATHERNE, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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