

STATE OF LOUISIANA  
PARISH LAFOURCHE

A SPECIAL MEETING OF THE LAFOURCHE PARISH COUNCIL, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR MONDAY, DECEMBER 5, 2011 AT 5:00 P.M., HELD AT THE MATHEWS GOVERNMENT COMPLEX, 4876 HIGHWAY 1, MATHEWS, LOUISIANA.

The Lafourche Parish Council was duly convened as the Governing Authority of said Parish by Mr. Louis Richard, Chairman, who then stated that the Lafourche Parish Council was ready for the transaction of business at 5:00 p.m.

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

**PRESENT:** Mr. Jerry Jones  
Mr. Michael Delatte  
Mr. Louis Richard, Chairman  
Mr. Joseph "Joe" Fertitta  
Mr. Lindel Toups  
Mr. Rodney Doucet, Vice-Chair  
Mr. Daniel Lorraine  
Mrs. Charlotte Randolph, Parish President

**ABSENT:** Mr. Matt Matherne  
Mr. Phillip Gouaux

Chairman Richard *announced* that the **invocation** would be led by Mr. Fertitta. The Council then recited the **Pledge of Allegiance** led by Mr. Doucet.

Next, a **motion** was offered by Mr. Fertitta, seconded by Mr. Delatte, *to open the Public Hearing*, and *carried* by a vote of (7) yeas, (0) nays, and (2) absent.

## PUBLIC HEARING AND ORDINANCES FOR RATIFICATION

The next item (1) on the agenda was an ordinance providing for a 2011 Supplemental Appropriation (11-032) within the 2011 Operations and Maintenance Budget to increase supplies and salaries within the Office of Community Action General Fund; and authorizing the Parish President to sign, execute and administer said transactions as provided for by Article VI of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Jones and seconded by Mr. Delatte. Chairman Richard asked three times if anyone from the public wanted to speak on the proposed ordinance.

**Mr. Fertitta** *began discussion* by saying, "I never remembered giving money to the Community Action for Weatherization; \$20,000 for material and \$25,000 for personnel. I think this screams nothing but mismanagement. They used this money for something else; and now, we have to give them \$45,000. Somebody should be accountable for this. I'm disappointed that our Community Action Director is not here to answer any questions. I just can't support this because I think somebody should be accountable for this. And, I'd like to have some kind of explanation."

**Mr. Jones** then *stated*, "Yes, Mr. Fertitta - and I think Mrs. Robinson is going to explain this - it's not mismanagement. The grant was for \$822,799.22; and we helped a lot more people in the Parish. We end up spending \$847,418.14; we got 13 houses left to do; and this money is going to be refund; it's a refundable grant. So, it's not like we're taxing taxpayer's money or mismanagement."

*Several people made comments, in unison, speaking over each other, thus being inaudible.*

**Ms. Crystal Chiasson, Parish Administrator**, next *clarified*, “This money would not be refunded. This money is not going to be refunded; this is money that we would give to the program, to meet what we need to do for year end for the contract. I don’t know if Finance wants to...” She was momentarily interrupted, due to the fact that she was not being heard. Ms. Chiasson then continued, “It’s not refundable! This is to meet the year end with the contract for employees and supplies to finish the homes that we do have, in relation to the contract.”

**President Randolph** further *stated*, “It’s important to note that the person who began this particular grant is no longer with the Parish. The Administrative costs for administering this particular grant - an attempt was not made to recoup the administrative costs of this. And, that’s why the grant ended up having a shortfall. Administrative costs are always important with a grant, in order to pay salaries, in order to pay benefits; and therefore, the fact that was not secured early on left this program with a shortfall.”

**Mr. Doucet** next *said*, “I got a bunch! Number one, you said the grant was for \$822,000 what?” **Mr. Jones** *replied* as to, “\$822,799.22”. **Mr. Doucet** then *said*, “And, we spent \$847,000?” **Mr. Jones** *clarified* that it was, “\$847,418.14” **Mr. Doucet** then *exclaimed*, “Which made a difference of \$25,000!” He *further asked*, “How come we didn’t stop sooner, when we was running short with this program? And, my understanding with programs, just like the electricity program, just like the different programs of Community Action, when they’re out of money, the people have to wait, so they stop, because you can’t get the services anymore, because you don’t have the money! So, this program kept on functioning, and went into a deficit of \$25,000. So, is that what the \$25,000 is for, that deficit, plus \$20,000 to do additional houses? And, my next question is: how come when this started happening that no one went and got some more for the grant, or get another grant and get it started? Or, have we started another grant, to go after another grant?” **Mr. Jones** *responded* as, “A grant goes from year to year Rodney!” **Mr. Doucet** *continued* to ask, “So, it goes year to year; and this is all the money you got to spend, from that year to this year?” **Mr. Jones** *replied* as “Yes!” **Mr. Doucet** *further asked*, “Who was the person that did this grant, that’s not with the Parish anymore?” **Mr. Jones** *responded* as, “Ms. Hughes”. **Mr. Doucet** again *continued*, “Ms. Denise Hughes! She’s the one that did the grant?” **Mr. Jones** *replied* as “Yes!” **Mr. Doucet** *asked*, “For \$822,000? Or, is it that, the way it works, and that’s someone’s telling me, and this is what I want to understand: we do the job and we submit the invoices and they pay us, correct?” **Mr. Jones** again *replied*, as “Right!” **Mr. Doucet** went on to *ask*, “So, why we can’t submit more? Or, it’s just that amount of the \$822,000? I know it’s a lot of questions, but.”

**President Randolph** then *spoke*; adding, “The history of this grant is that it was not secured by Community Action; it was part of a Department of Energy Program, part of the ARRA Funding, which was a onetime grant, which is why you cannot go back and secure additional money. This was the money the Parish was granted. This action is not unprecedented. In the past, the Council has actually assisted the LIHEAP Program, in adding money for electric bills, particularly when it’s been very cold, or when the situation has become very dire. So, the Council has done this in the past to assist programs, in meeting the needs of the people. This program was established through the efforts of the State, where they came to the Parish, identified the homes that had been requested by applicants, put a price on improving the homes, once they were able to determine that the homes met all the criteria including ownership and things like that. Our request to you, for this additional \$25,000, is to complete the homes that are on the list. The list of homes that was presented – and please, Ms. Robinson, if you want to add into this – the list of homes was provided by the State, and the homeowners were, I don’t want to say guaranteed, but they were told that their homes would be weatherized. And, because the money is available now, in the Parish funds, to assist in these very, very needy homeowners, having their homes weatherized; we think it is very important to supplement this program, in order to complete what the State set out to do. If the monies for the administrative costs had been reimbursed, then we would have had more money to do this.”

**Mr. Doucet** *stated*, “I got another discussion! When we vote on this, it usually takes 10 days for the process for this to go through, correct?” *Several people replied, all in unison, speaking over each other, thus being inaudible.* **President Randolph** *clarified*, “No, actually this ordinance has a different effective date.” **Ms. Chiasson** further *stated*, “And, we are going to amend that to be December 5th; so, it would be effective December 5th.” **Mr. Doucet** then *expressed*, “There’s something that’s just not right here!”

**Mr. Toups** next *spoke* of his concerns; saying, “Well, what I don’t like about it - I cannot take money away from Road Royalty to put into Community Action. That’s where we’re going to be taking that money! I think Community Action has been mismanaged. They got too many Chiefs and not enough Indians. And, we keep blaming Ms. Hughes on this grant. I knew over a year ago we were losing this grant. They’ve been talking about it, that we were going to lose this grant. Now, how we lost it? I don’t know! We didn’t do the right paperwork? But, I can’t vote to take money from Road Royalty and give to Community Action, when I got roads in my area that some business people had to buy their own material and put on the roads. I cannot support it!” **President Randolph** *exclaimed*, “A correction Mr. Chairman! It is not Road Royalty; it’s Royalty. **Mr. Jones** then *stated*, “Another correction Mr. Chairman! We’re not losing the grant, Mr. Lindel. I don’t know where you’re getting that from; but, the grant is not being lost! We’re using the money in the community” **Mr. Toups** further *expressed*, “We’re still blaming it on Denise Hughes that’s been gone for two years! It’s just catching up now?” **Mr. Jones** *replied*, “Because it’s her contract! It’s that the grant that was wrote!” **Mr. Toups** further *commented*, “That’s just my feelings. I can’t support it!”

**Mr. Lorraine** briefly *announced*, “I’m not saying nothing! I’m ready to vote!”

Hearing no others, Chairman Richard called for a vote, which *failed* by a vote of (2) yeas, that being of Mr. Jones and Mr. Delatte; (5) nays, that being of Mr. Richard, Mr. Fertitta, Mr. Toups, Mr. Doucet, and Mr. Lorraine; and (2) absent.

**FAILED SUPPLEMENTAL APPROPRIATION - OFFICE OF COMMUNITY ACTION**

Next, a **motion** was offered by Mr. Toups, seconded by Mr. Delatte, to *close the Public Hearing*, and *carried* by a vote of (7) yeas, (0) nays, and (2) absent.

## RESOLUTIONS

The next item (2) on the agenda was a resolution approving Change Order No. 2 to the project entitled “Renovations to the Mathews Government Complex”, for an increase in contract sum by \$200,917.00 and an increase in contract time by 45 days; and authorizing the Parish President to sign, execute and administer any and all relevant documents upon State approval. A **motion** was offered by Mr. Toups and seconded by Mr. Fertitta.

**Mr. Doucet** *began discussion* by asking, “Do we have any drawings or anything of what we are going to be doing for \$200,000?” **Mr. Kevin Gros, Architect**, with **Weimer Gros Flores, LLC** in Thibodaux, *responded* by saying, “Yes, we do; I don’t have them with me right now.”

**Mr. Toups** *asked*, “What we had, something new that we put in and we just ran over, or it’s something unexpected that we didn’t see, or what?” **Mr. Gros** *replied* by explaining, “Yeah, we were very concerned when we did the initial budgeting on this project. So, there were some things that were not included in the original scope of work that the Parish wanted. But, in light of the bids, we just came in substantially less than we were expecting.” **Mr. Gros** made additional comments, as well did **Mr. Toups**, *but in speaking over each other, some was inaudible*.

**Mr. Richard** next *questioned* Mr. Gros; thus asking, “And, you’re still within budget, I think, from originally, right?” **Mr. Gros** *replied* by saying, “That’s correct! The way we stand right now, we’re about \$350,000 less than our original cost estimate and budget on the project. Now, you know, with this Change Order, this proposed Change Order is \$200,000, so that would put us about \$150,000 underneath the budget; if this is approved as it is.”

**Mr. Lorraine** then *asked*, “What was the difference in the - when we had the bids – it was the other people that bid on this project? Was there a big difference from your bid and the others?” **Mr. Gros** *responded*, “I don’t remember specifically what the bids are. I believe there was one or two that were quite a bit lower.” **Mr. Lorraine** next *asked*, “Was it close?” **Mr. Gros** *replied*, “Yeah, there were a couple of them that I think they were fairly close; the two low bidders and then the rest of them might have been.” **Mr. Lorraine** *continued*, saying, “There’s a difference from if you keep getting Change Orders; that’s the difference from somebody maybe being able on getting the bid versus not getting it. But, I aint got a problem if you’re within \$300,000 you said; you’re still under. But, I just wanted to make that point.”

**Mr. Doucet** spoke next; thus *expressing*, “The only thing that is my concern about is that I’ve done a lot of contract jobs and when you do a bid job and then when you get Change Orders, you do T & M (*time and material*). You make more money on T & M then you would do on the regular bid. And, I think that’s where a lot of these bids need to stop. I mean, these guys are Engineers, they are Architects, they should have everything drawn up. If there’s some Change Orders, that should be added to the bid process; so that if those Change Orders would take place if they had enough money. That it would already be in the beginning of the process; and that would still give somebody else a better chance to come up with the bids. These Change Orders are not in the beginning of the process! Am I correct? On the first initial bid, it’s not in the process?” **Mr. Gros** *replied*, “That’s correct! Those were not included in the original scope of work.” **Mr. Doucet** *continued*, “So, in other words, we’re seeing how much money we have left on the first bid run, and then we’re going to have Change Orders? So, it turns around, and it comes in to be a T & M. And, I just think, my suggestion, is that in the future, gentlemen that all bids should come up to where if you want a Change Order, if you have the money after the first bid, then Change Order, Change Order, Change Order. And, these will be what your bids will be, of the Change Orders. And, it would stop it! Because, I make money on Change Orders!”

**Mr. Fertitta** then *commented*, “Rodney, I was in a couple of those meetings with the Architect; and we cut out a lot of stuff, to try to save money. And now, they are doing such a fine job, and they’re saving money, we can a few little extra things; you know, when we are going to have hurricanes, where people can stay and different things like that.”

**Mr. Jones** *expressed*, “I’m kind of confused. We’re talking about \$200,000, this Council, Change Order. What’s the difference in \$200,000 in a Change Order and \$25,000 to help poor people?” **Mr. Richard** *replied*, “I think its two different things Jerry, altogether; but anyhow.”

Hearing no others, Chairman Richard then called for a vote; in which the resolution *carried* by a vote of (6) yeas; (1) nay, that being of Mr. Doucet; and (2) absent.

**RES. NO. 11-316 CHANGE ORDER NO. 2 - MATHEWS GOVERNMENT COMPLEX RENOVATIONS PROJECT**

## **ADJOURNMENT**

On **motion** by Mr. Toups and seconded by Mr. Fertitta, and with no further business, the Lafourche Parish Council **Special Meeting** of **December 5, 2011** *adjourned* at **5:21 p.m.**

LOUIS RICHARD, CHAIRMAN  
CARLEEN B. BABIN, COUNCIL CLERK

ELLA DUPRE, ASSISTANT COUNCIL CLERK  
LAFOURCHE PARISH COUNCIL