

**DECEMBER 14, 2004
RACELAND, LOUISIANA**

**STATE OF LOUISIANA
PARISH LAFOURCHE**

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

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

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

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

ABSENT: None

Mr. Mark Atzenhoffer made an announcement to the audience that two Councilmen from the City of Thibodaux: Councilman Gene Richard and Councilman Norman Swanner, was collecting donations to send phone cards to the Troops over seas to call their families. He said donations could be made at the meeting or mailed to the KTIB Studio.

PROCLAMATIONS

The first item (1) on the agenda was proclamations honoring the winners of the Paralyzed Veterans of America 2004 Veteran's Day Poster and Essay Contest as follows:

- a.) Mr. Jean Paul Malcombe for winning the National 1st/2nd Grade Category
- b.) Ms. Jenna Orgeron for being the National 1st/2nd Grade Category Finalist
- c.) Ms. Ashlynn Besson for being the National 1st/2nd Grade Category Finalist
- d.) Holy Rosary Catholic School in Larose for encouraging their students to participate in the contest.

Mr. Daniel Lorraine congratulated and thanked everyone who participated for Veteran's Day contests. He thanked Ms. Rose Chiasson for doing such a great job for the last 51 years of teaching.

Parish President Charlotte Randolph presented the first award to Mr. Jean Paul Malcombe for his essay which won the National 1st/2nd Grade Category in the Paralyzed Veteran's of America held a National Veterans Day Poster and Essay Contest. Mr. Brent Callais, Mr. Phillip Gouaux, and Mr. Daniel Lorraine presented the awards to Ms. Jenna Orgeron, Ms. Ashlynn Besson, and to Holy Rosary Catholic School.

Ms. Rose Chiasson stated that it was not only an Honor for Holy Rosary Catholic School, but also for the parish and state. She thanked the Council for everything that was being done for the Veterans and for also presenting the awards.

APPROVAL OF MINUTES

The next item (2) on the agenda was the approval of the minutes of the November 4, 2004, Lafourche Parish Council Special Meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to accept the November 4, 2004 Special Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (3) on the agenda was the approval of the minutes of the November 9, 2004, Lafourche Parish Council Regular Meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to accept the November 9, 2004 Regular Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (4) on the agenda was the approval of the minutes of the November 23, 2004, Lafourche Parish Council Special Meeting. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to accept the November 23, 2004 Special Meeting minutes. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

APPROVAL OF MINUTES AND RECOMMENDATIONS OF COMMITTEE MEETINGS

The next item (5) on the agenda was to approve the minutes and recommendations of the November 4, 2004 and December 1, 2004 Solid Waste Subcommittee meeting. A **motion** was offered by Mr. Phillip Gouaux, Chairman of the Solid Waste Subcommittee, seconded by Dr. Tommy Lasseigne, to accept the November 4, 2004 and December 1, 2004 minutes of the Solid Waste Subcommittee meeting. The minutes were **approved** by a vote of eight (8) yeas, zero (0) nays, and one (1) abstained, that being of Mr. Daniel Lorraine.

Proceedings of the November 4, 2004 Solid Waste Subcommittee Meeting are as follows:

THE LAFOURCHE PARISH SOLID WASTE SUBCOMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR THURSDAY, NOVEMBER 4, 2004, AT 5:00 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Phillip Gouaux, Chairman of the Solid Waste Subcommittee, called the meeting to order at 5:00 p.m. Proceedings of the meeting were called to order with the following:

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

ABSENT: None

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning the proposal for the next solid waste contract. Mr. Jerome Danos, Solid Waste Manager, handed out packets and did a power point presentation. He gave a current fund analysis and stated that the projected fund balance for the end of 2004 was \$3,835 million. Mr. Danos stated significant items which impacted the fund: In November 1996, there was a roll back in the Solid Waste Tax from 1% to .7% which resulted in a decrease in Revenues by approximately \$800,000 a year. In November 1998, began a 5 year contract with SWDI, LLC with realization of a substantial contract price increase due to smaller trucks, increased house count, doubled franchise fees, added 950 small commercial units, expanded satellite truck services, and take-all contracts. In June 1999, began a 5 year contract with River Birch, resulted in a substantial disposal price increase due to Subtitle "D" Regulations. In October 2003, the house count increased by 1,800 units. He then gave figures on how fast the collection contract rates have increased since 1988, presently at an approximate 151% increase. The rate in 1988 was at \$7.39 a house, in 1993 it was \$9.94, in 1998 it was \$12.65, in 1999 it was \$15.32, and in

2004 it is \$18.57. He also gave figures of the increase on the disposal contracts since 1988, presently at an approximate 71% increase. The rate in 1988 was at approximately \$14.00 a ton, in 1993 it was \$21.00, in 1999 it was \$27.50, and in 2004 at \$30.13. In 2005, because of negotiations with River Birch, it will be a decrease to \$24.00 a ton for the disposal fees. Another item that impacted the fund was the franchise fees, since 1988 the total was approximately \$5,486,595. Other significant expenditures that have been funded through the years are: the commercial disposal fees (costs approximately \$800,000), the recycling program (costs approximately \$400,000), and the franchise fees (costs approximately \$550,000). Mr. Danos then went over the 2004/2005 proposals. He stated that another contract needed to be negotiated because of the expiration of the present contract. Mr. Danos said that the advertisement and pre-bids were done in June 2004 for Solid Waste "Request For Proposals", accepted proposals on October 7th, and the proposals submitted were: SWDI, LLC at \$20.49 per unit/month, Waste Management - No Bid, and Browning Ferris, Inc. - No Bid. He then presented what would happen to the fund balance if the proposal from SWDI, LLC was accepted as submitted at \$20.49 a house without any other changes. His illustration showed that by the end of next year there would be no money in the fund if the same amount of revenues were continued. Mr. Danos said that the situation was analyzed on which items could possibly be removed from the present services: the Commercial Disposing and Recycling in 2005 and the franchise fees in 2006. He then stated even with the drastic changes that the fund would not be benefitted from the SWDI proposal. Mr. Danos stated that SWDI negotiated two additional proposals: \$17.01 including a recycling program or \$15.90 a house without recycling. The proposals would mean eliminating the commercial disposal in 2005, recycling in 2005, franchise fees in 2006, any debris resulting from tree/building contractors, any land clearing and debris from new home or business construction, and have to change the truck fleet and use larger trucks. He said after analyzing and asserting the \$15.90 into the model, with all of the other conditions associated, that 2005 can be ended with \$2.3 million in the fund balance.

Mr. Lindel Toups asked how many businesses were included in commercial disposals. Mr. Danos stated that it affects virtually every business in the Parish outside the City Limits of Thibodaux and estimating over 3,500 businesses benefitted (tipping fees for small commercial units, commercial units, large commercial units, industrials, heavy industrials, and any other commercial business in the Parish). Discussions ensued. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Delatte, to recommend that the contract with SWDI, LLC be accepted as an ordinance at the Council meeting on November 9th, and *carried* by a vote of nine (9) yeas and zero (0) nays.

OTHER BUSINESS

The next item on the agenda was any other business. There was no other business on the agenda, so Chairman Gouaux moved to the next item on the agenda.

ADJOURNMENT

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Delatte, and with no further business, the Lafourche Parish Solid Waste Subcommittee meeting of November 4, 2004, **adjourned** at 5:30 p.m.

Proceedings of the December 1, 2004 Solid Waste Subcommittee Meeting are as follows:

THE LAFOURCHE PARISH SOLID WASTE SUBCOMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR WEDNESDAY, DECEMBER 1, 2004, AT 6:00 P.M. IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Phillip Gouaux, Chairman of the Solid Waste Subcommittee, called the meeting to order at 6:00 p.m. Proceedings of the meeting were called to order with the following:

PRESENT: Mr. Michael Delatte, Co-Chair
Mr. L. Phillip Gouaux, II - Chairman
Mr. Brent Callais
ABSENT: None

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning the solid waste contract. Chairman Gouaux stated there was not much time left to sign the contract for solid waste pickup. He stated that SWDI, LLC was the only company that offered a proposal. Mr. Gouaux said that the Council has been working closely with SWDI to work out the details of the contract. He said that the rate would be \$15.90 a house per month. Mr. Gouaux went into detail of what would be in the contract and suggested that a decision be made to recommend the contract or not. He then gave statistics on commercial tipping fees. Mr. Gouaux stated it was his opinion that recycling and tipping fees needed to be eliminated. He mentioned that he had a conversation with Mr. Roddie Matherne with SWDI on commercial tipping fees and a \$5 increase per yard per month would be assessed. Mr. Gouaux clarified that the proposed contract was only for residential. Mr. Jerome Danos advised the Council that the proposed contract does include 950 small commercial units. Mr. Roddie Matherne spoke from the audience. A detailed discussion ensued. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Brent Callais, to accept the contract as written, to notify all large businesses that the commercial tipping fees will no longer be paid by the parish starting February 1, 2005, and a six month trial for relocating the recycling bins to three area locations. The motion **carried** by a vote of three (3) yeas and zero (0) nays.

OTHER BUSINESS

The next item on the agenda was any other business. There was no other business on the agenda, so Chairman Gouaux moved to the next item on the agenda.

ADJOURNMENT

On **motion** by Mr. Brent Callais, seconded by Mr. Michael Delatte, and with no further business, the Lafourche Parish Solid Waste Subcommittee meeting of November 4, 2004, **adjourned** at 6:35 p.m.

The next item (6) on the agenda was to approve the minutes and recommendations of November 23, 2004 Public Works and Solid Waste Committee meeting. A **motion** was offered by Mr. Michael Delatte, Chairman of the Public Works and Solid Waste Committee, seconded by Dr. Tommy Lasseigne, to accept the November 23, 2004 minutes of the Public Works and Solid Waste Committee meeting. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the November 23, 2004 Public Works and Solid Waste Committee Meeting are as follows:
THE LAFOURCHE PARISH COUNCIL PUBLIC WORKS AND SOLID WASTE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, NOVEMBER 23, 2004, TO IMMEDIATELY FOLLOW THE SPECIAL LAFOURCHE PARISH COUNCIL MEETING SCHEDULED TO BEGIN AT 5:30 P.M., IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Mr. Michael Delatte, Chairman, stated that the Public Works and Solid Waste Committee was ready for the transaction of business following the close of the Special Lafourche Parish Council meeting. Proceedings of the meeting were called to order at 5:53 p.m. with the following:

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

PUBLIC TO ADDRESS THE COMMITTEE

The first (1) item on the agenda was Mr. John Wall to address the Committee regarding drainage of his family property into the parish system. Mr. Wall began by stating that his brother and himself own 640 acres of property in Lockport (542 acres being marsh land behind the 40 Arpent Canal). He asked that they be allowed to put a couple of pipes through the canal to help drain their property. Mr. Wall said that they would still maintain their pumping station, which they own themselves. He explained how the pipes would benefit his property and his cattle. Mr. Wall stated that he did some research at the Courthouse and found that their property was part of the Delaune property that was issued the rights through the Courts to place pipes in the 40 Arpent Canal. A detailed discussion ensued. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Lindel Toups, to get the Administration to research this issue to find out what can legally be done and then come back to the January Council meeting, and *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne. Another discussion ensued.

PRESENTATIONS

The next item (2) on the agenda was a presentation by Mr. Kevin Belanger with South Central Planning and Development Commission regarding the EPA Waste Water Grant. Mr. Belanger, CEO, stated that he was present at the November 9th Council meeting and relayed information on a grant that was received to conduct a feasibility study and implementation of projects. He then requested the Council's consideration. President Randolph said some research was done and that it would result in a return of \$247,130. She said that it would also make the parish eligible for future 75:25 match funds from the Corp. for other projects. A discussion ensued and it was agreed that this would be presented as an ordinance at the December 14, 2004 meeting.

The next item (3) on the agenda was a presentation by Mr. Arthur and Mrs. Jane Boudreaux with People Environmental Action League regarding the proposed Belle Solid Waste Landfill. Ms. Boudreaux reviewed with the Council some information that was sent to them on an impact study (Impact of Municipal and Industrial Non-Hazardous Waste Landfills on Public Health and the Environment: An Overview). Mr. Boudreaux read from a document that was received from someone who resides in Assumption Parish which explained how they felt it would affect Bayou Lafourche. He spoke of two water wells on the property which free-flow, which means when the water level of the river is high that the pressure causes the ground water table to rise. He continued by saying that the drinking water would be impacted by the landfill. Mr. Boudreaux asked the Council to join their effort by considering a resolution to protest the proposed landfill. Chairman Delatte requested that the information be forwarded to the Administration to do further research on how Lafourche Parish would be affected by the landfill. A brief discussion ensued. Ms. Boudreaux stated that the comment deadline was extended to January 10th. Ms. Ida Bush, Executive Director of the Corporation, said her interest was in the wellness of people. She asked that the Council support them in their efforts. Mr. John Beck, Vice President of the Assumption Parish School Board and President-Elect on the State School Board Association, made a few comments on the issue of the landfill. He stated that the School Board adopted a resolution against the landfill on October 20th. Mr. Beck referenced an article from

The Morning Advocate that was written against DEQ, that their policy was sadly lacking and failed to enforce the law. He asked that the Council strongly consider a resolution. Mr. Mark Atzenhoffer requested a copy of the resolution be forwarded to the Council Clerk and to have it as a discussion on the December 14th agenda. Dr. Tommy Lasseigne asked where was the landfill being proposed to be placed. Mr. Beck stated that a brochure was published by Belle and that they were to be located at an isolated, secluded tract of land in Assumption Parish that would be barely visible from the nearest roadway on Highway 70. He again asked that the Council support it as a resolution and send it to the Governing Body, the Governor, and DEQ. Mr. Welmon Comeaux said he represented Assumption Parish and that he was an originator of the League, doing this for approximately ten years. He stated that he had worked for a refinery and developed numerous diseases because of working with hazardous material. Mr. Comeaux asked for the Council's help and cooperation.

PUBLIC WORKS DIRECTOR'S REPORT

The next item on the agenda was the Director of Public Works report. Mr. Ray Cheramie updated the Council on some of the major projects that were done at some of the field offices:

Thibodaux Field Office

- Legendre Drainage Ditch - Completed
- Lil Al's Drainage Ditch - Completed
- Parish Line Drainage Ditch - Ongoing
- All street ditches in Country Club area - Ongoing

Raceland Field Office

- St. Ann Clean culverts, dug ditches & set culverts at the ends of street for bus turn around, (Ongoing) waiting for contractor to build catch basin & Entergy to move light pole.
- Wilson Street Outfall Canal- completed except for spreading dirt.
- Eroche Outfall - Completed
- Sergian Truxillo Outfall - Completed

Lockport Field Office

- East 25th Outfall Canal - Completed
- David Breaux Outfall Canal - Completed
- Larose Intracoastal Protection Levee 95% Complete (Use of North Lafourche Levee District Buggy Excavator)
- Clyde Orgeron Outfall Canal - Ongoing
- Ludevine Levee - Ongoing
- East 14th Street - 80% Complete

Galliano Field Office

- Breton to Valerie Canal - Ongoing in partnership with South Lafourche Levee District Long Reach.
- East 90th Street - Hunter Ditch - Completed
- West 41st Street - Blanchard Ditch - Completed
- Milton Rogers Ditch (West of 3235) - Completed
- East 172nd - East 178th Street (east of residents) - Ongoing
- Paul Dufrene South Ditch - Completed
- Jimmy Badeaux Ditch - Ongoing
- East 69th Street - Tony Duet Ditch - Ongoing

Chackbay Field Office

- Removed two 36" corrugated culverts and installed one 36" arch culvert in front of St. James Church in Choctaw.
- Dug a lateral ditch in Chackbay to Tauzin Levee Canal.
- Installed pipe in Levee with gate at Grand Bayou so that water can get off property.

Dug Levee Canal from Martinez Pump Station going toward Ron Pom Pon, dug 1600 ft. removing water lilies and digging slush and dirt out of canal.

Bayou Blue Field Office

Repairs on Oak Point Road where water had damaged road and dust control.

Excavator cleaning ditches - Completed... St. Charles Bypass, working on Burma Road.

Repaired bulkhead, drove plate iron against bridge at Laura Street.

MOTIONS

The next item (4) on the agenda was a motion to recommend a variance request on James Cantrelle, II Subdivision, District 6, Ward 4, from the cul-de-sac exceeding the maximum five hundred (500') feet required by subdivision regulations. The cul-de-sac will be located five hundred forty (540') feet. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Lindel Toups. A brief discussion ensued. The motion **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

DISCUSSIONS

The next item (5) on the agenda was a discussion concerning the one-way on West 217th Street from Louisiana Highway 1 to Highway 3235. Mr. Daniel Lorraine asked Mr. Ray Cheramie to get the Department of Public Works to re-install the one-way and stop signs (that have just recently been knocked down) on West 217th Street because the traffic is not following the regulations. He also requested that a letter be sent to the Sheriff's Office to enforce the regulations. A brief discussion ensued.

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne, to **open** the Two-Thirds Agenda.

TWO-THIRDS AGENDA

The first item (1) was a resolution authorizing the Parish President to sign a local service agreement with Lafourche Basin Levee District in order that Lafourche Basin Levee District may recap the protection levees from Shanney Bayou to Legendre Canal and Sawmill Bridge to Dirt Bridge. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Dr. Tommy Lasseigne asked if this resolution was budgeted. President Randolph stated that it would not have a cost and that it was part of the standard cooperative endeavor agreement with the Lafourche Basin Levee District. She further explained that this service was part of the drainage in-house work. A brief discussion ensued. The motion **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

RES. NO. 04-

A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne, to **close** the Two-Thirds Agenda.

OTHER BUSINESS

The next item on the agenda was Other Business. Hearing none, Chairman Delatte moved to the next item.

ADJOURNMENT

On **motion** by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, and with no further business, the Lafourche Parish Council Public Works and Solid Waste Committee meeting of November 23, 2004, **adjourned** at 6:50 pm.

The next item (7) on the agenda was to approve the minutes and recommendations of the November 23, 2004 Board of Appointment and Permits Committee meeting. A **motion** was offered by Mr. Michael Matherne, Chairman of the Board of Appointment and Permits Committee, and seconded by Mr. Tyrone Williams, to accept the November 23, 2004 minutes of the Board of Appointment and Permits Committee meeting. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

The next item (7a) on the agenda was a motion to fill five vacancies on the Fire District No. 7 Board (Thibodaux) due to all members terms expired/advertised/(5) applications. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Mark Atzenhoffer, to **appoint** Mr. Jerry Zeringue, Mr. James Babin, Mr. Joseph Bourgeois, Mr. Rodney Gautreaux, and Mr. Raoul Bourgeois Jr., to the Fire District No. 7 Board (Thibodaux). Mr. Atzenhoffer asked when would the terms expire. Dr. Tommy Lasseigne stated that the terms were for two years. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (7b) on the agenda was a motion to fill two vacancies on the Lafourche Parish Game and Fish Commission (parish wide) due to the resignations of Leonard Toups and Leon Richard/advertised/3 applications. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais, to **appoint** Mr. Andrew Griffin and Ms. Connie Bascle to the Lafourche Parish Game and Fish Commission, to serve at the pleasure of the Council. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (7c) on the agenda was a motion to fill a vacancy on the Recreation District No. 5 Board (Ward 6) due to the resignation of Eves Bourgeois/advertised/1 application. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Tyrone Williams, to **appoint** Mr. Bryan Zeringue to the Recreation District No. 5 Board (Ward 6), to serve at the pleasure of the Council. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (7d) on the agenda was a motion to fill a vacancy on the Library Board of Control Board (parish wide) due to the resignation of Ms. Beverly Arabie/advertised/3 applications. A **motion** was offered by Mr. Tyrone Williams and seconded by Mr. Michael Delatte, to **appoint** Ms. Mary Bryant to the Library Board of Control Board. An **amendment** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to state, "*to fill the remaining term of Ms. Beverly Arabie, to expire on September 28, 2009*", and **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion **carried** by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the November 23, 2004 Board of Appointments and Permits Committee Meeting are as follows:

THE LAFOURCHE PARISH COUNCIL BOARD OF APPOINTMENTS AND PERMITS COMMITTEE WAS SCHEDULED TO MEET ON TUESDAY, NOVEMBER 23, 2004, IMMEDIATELY FOLLOWING THE PUBLIC WORKS AND SOLID WASTE COMMITTEE MEETING TO BE HELD IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND LOUISIANA.

Mr. Tyrone Williams, Co-Chairman, stated that the Board of Appointments and Permits Committee was ready for the transaction of business following the close of the Public Works and Solid Waste Committee meeting. Proceedings of the meeting were called to order at 6:51 p.m. with the following:

PRESENT: Mr. Tyrone Williams—Co-Chair

Mr. Michael Delatte

Dr. Tommy Lasseigne

Mr. Mark Atzenhoffer

Mr. Lindel Toups

Mr. L. Phillip Gouaux, II

Mr. Brent Callais

Mr. Daniel Lorraine

ABSENT: Mr. Michael Matherne—Chairman

MOTIONS

The first item (1) on the agenda was a motion to extend the application deadline for the Library Board of Control vacancies and re-advertise for three additional weeks. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Daniel Lorraine suggested that the Council vote against the resolution and to recommend three of the eight applicants to the next full Council meeting. Discussions ensued. The motion **failed** by a vote of three (3) yeas: Mr. Tyrone Williams, Mr. Mark Atzenhoffer, and Mr. Phillip Gouaux; five (5) nays: Mr. Michael Delatte, Dr. Tommy Lasseigne, Mr. Lindel Toups, Mr. Brent Callais, and Mr. Daniel Lorraine; and one (1) absent, that being of Mr. Michael Matherne.

The next item (2) on the agenda was a motion to fill three (3) vacancies on the Lafourche Parish Library Board of Control due to the expired terms of Sharleen Hotard, Eva Shanklin, and Ethel Ann Caillouet/advertised. Mr. Lindel Toups nominated Mr. James Cantrelle. Mr. Phillip Gouaux nominated Ms. Lynette Fossum. Mr. Michael Delatte nominated Ms. Sharleen Hotard. Mr. Tyrone Williams nominated Ms. Mary Bryant. A **motion** was offered by Mr. Lindel Toups, seconded by Dr. Tommy Lasseigne, to close the nominations and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne. A **motion** was offered by Mr. Lindel Toups and seconded by Dr. Tommy Lasseigne for the nomination of Mr. James Cantrelle and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais for the nomination of Ms. Lynette Fossum and **carried** by a vote of five (5) yeas: Mr. Tyrone Williams, Mr. Michael Delatte, Mr. Lindel Toups, Mr. Phillip Gouaux, Mr. Brent Callais; three (3) nays: Dr. Tommy Lasseigne, Mr. Mark Atzenhoffer, and Mr. Daniel Lorraine, and one (1) absent, that being of Mr. Michael Matherne. A **motion** was offered by Mr. Michael Delatte and seconded by Mr. Daniel Lorraine for the nomination of Ms. Sharleen Hotard and **carried** by a vote of seven (7) yeas, one (1) nay, that being of Mr. Phillip Gouaux, and one (1) absent, that being of Mr. Michael Matherne.

The next item (3) on the agenda was a motion to ratify the appointment of Paul A. Champagne as the Town of Lockport's representative on the Lafourche Parish Game and Fish Commission due to the resignation of Hillary A. Thibodaux. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

The next item (4) on the agenda was a motion to fill one of two vacancies on the Lafourche Parish Game and Fish Commission due to the resignations of Leonard Toups and Leon Richard/advertised—one application. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Daniel Lorraine, to re-advertise, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

DISCUSSIONS

The next item (5) on the agenda was a discussion concerning the opinion received from the Lafourche Parish District Attorney concerning the Library Board members. This item was **pulled**.

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Co-Chairman Williams moved to the next item since no one was present to speak.

A **motion** was offered by Mr. Phillip Gouaux, seconded by Dr. Tommy Lasseigne, to **open** the Two-Thirds Agenda, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

TWO-THIRDS AGENDA

The first item (1) on the Two-Thirds Agenda was a motion to fill one of two vacancies on the

Lafourche Parish Fire Protection District No. 4 Board due to the resignation of Ruben Boudreaux/advertised—one application. A **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Daniel Lorraine, to appoint Mr. Shawn Mauldin, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

The next item (2) on the Two-Thirds Agenda was Ms. Martha Babin, Head Start Director, to address the Committee. Ms. Babin presented two items to the Council. She first reminded the Council that a training and technical assistance will be held for two days (December 6th and 7th) from 5:30 - 8:30p.m. to educate on governing and controlling of the financial systems, policy and procedures, philosophy and so forth on the Head Start Organization. Ms. Babin expressed the importance of participation in the training. She stated that working with the governing body will really be stressed at the December 7th training. Secondly, she handed out annual packets to the Councilmen to show their responsibilities. Ms. Babin stated that she had applied for a grant and received one for \$4,000 for the training. She then requested the Councilmen to take part of at least one of the seven committees that have been formulated to help the Councilmen to get more familiar with the policies.

A **motion** was offered by Mr. Lindel Toups, seconded by Mr. Phillip Gouaux, to **close** the Two-Thirds Agenda, and **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

OTHER BUSINESS

The next item on the agenda was any business to be addressed. Mr. Lindel Toups asked about the terms of the Library Board appointments and how would they expire. Mr. Mark Atzenhoffer stated that an ordinance was in the process of being written to rescind Ordinance 1529 and explained how it would be determined.

ADJOURNMENT

On **motion** by Mr. Lindel Toups, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Board of Appointments and Permit Committee meeting of November 23, 2004, **adjourned** at 7:15 p.m.

The next item (8) on the agenda was to approve the minutes and recommendations of the November 23, 2004, Finance and Legislative Committee meeting. A **motion** was offered by Mr. Tommy Lasseigne, Chairman of the Finance and Legislative Committee, and seconded by Mr. Michael Delatte to accept the November 23, 2004 minutes of the Finance and Legislative Committee meeting. The minutes were **approved** by a vote of nine (9) yeas and zero (0) nays.

Proceedings of the November 23, 2004 Finance and Legislative Committee Meeting are as follows:
THE LAFOURCHE PARISH COUNCIL FINANCE AND LEGISLATIVE COMMITTEE, PARISH OF LAFOURCHE, STATE OF LOUISIANA, WAS SCHEDULED FOR TUESDAY, NOVEMBER 23, 2004, IMMEDIATELY FOLLOWING THE BOARD OF APPOINTMENTS AND PERMITS COMMITTEE MEETING, IN THE COUNCIL MEETING ROOM AT THE LAFOURCHE PARISH COUNCIL BARRIOS CENTER, 1612 HWY. 182, SUITE 100, RACELAND, LOUISIANA.

Dr. Tommy Lasseigne, Chairman, stated that the Finance and Legislative Committee was ready for the transaction of business following the close of the Board of Appointments and Permits Committee. Proceedings of the meeting were called to order at 7:15 p.m. with the following:

PRESENT: Mr. Tyrone Williams
Mr. Michael Delatte

Dr. Tommy Lasseigne - Chairman
Mr. Mark Atzenhoffer
Mr. Lindel Toups
Mr. L. Phillip Gouaux, II - Co-Chairman
Mr. Brent Callais
Mr. Daniel Lorraine

ABSENT: Mr. Michael Matherne

DISCUSSIONS

The first item (1) on the agenda was a discussion concerning the Library budget. Mr. Mark Atzenhoffer asked about the amount spent on vehicle maintenance and where the fuel was being purchased. Mr. Paul Chiquet stated that the fuel comes from the parish. Mr. Atzenhoffer requested that the Administration look into fuel being purchased from the parish barns because the parish does not own the vehicles. He then asked about the offset of money in the budget pertaining to books (\$190,000) and furniture (\$1 million). Mr. Chiquet explained that new libraries are being built and will need to be furnished. Mr. Atzenhoffer asked what will be the total project cost for the Galliano Library. Mr. Chiquet responded \$1.6 million and to be aware that it will also serve as a meeting room for the Council. Mr. Phillip Gouaux asked what was the agreement with the Town of Lockport Library. Mr. Chiquet stated that the Town of Lockport agreed to extend the property on the lease. Discussions ensued in reference to the School Board. Dr. Tommy Lasseigne asked if the budget was for a calendar year and when were the audits done. Mr. Chiquet stated that it was a calendar year and the audits are done in September. Dr. Lasseigne asked if the Library Board had long range plans to maintain the libraries. Mr. Chiquet said there are long term plans. President Randolph requested that Mr. Chiquet forward her a copy of the surveys of the community.

The next item (2) on the agenda was a discussion concerning the request the District Attorney forwarded to the Bond Attorney's regarding litigation with Lafourche Parish. Mr. Phillip Gouaux stated that a letter was sent asking the Bonding Attorney, the firm of Adams and Reese, if they had any litigation with Lafourche Parish. He said that a letter was received from them stating that they did not have any current litigations pending. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Lindel Toups to forward another letter to Adams and Reese and all/any other firms that would be doing business with the parish asking if they ever had any litigations or would be entertaining litigations in the future with the parish. The motion **failed** by a vote of four (4) yeas: Mr. Tyrone Williams, Mr. Michael Delatte, Mr. Lindel Toups, and Mr. Phillip Gouaux; four (4) nays: Dr. Tommy Lasseigne, Mr. Mark Atzenhoffer, Mr. Brent Callais, and Mr. Daniel Lorraine, and one (1) absent, that being of Mr. Michael Matherne.

The next item (3) on the agenda was a discussion concerning reimbursement of cell phones. Mr. Brent Callais requested a decision be made on the cell phones in reference to the current plans or a new reimbursement plan. Mr. Cullen Curole, Parish Administrator, recommended that the Administration continue providing the Council with the cell phones or offer a cell phone allowance up to \$75 a month (\$125 for a PDA). He said to be aware that the IRS would consider this allowance as additional compensation and each Councilmen would be sent a 1099 form. A discussion ensued on privacy or public records if parish money was being spent. Mr. Brent Callais stated that the Code of Ordinance currently has a policy in the guidelines in which the Councilmen can be reimbursed up to \$100 for cell phones (\$125 for the Chairman). A **motion** was offered by Mr. Daniel Lorraine and seconded by Mr. Brent Callais for each Councilman to get with the Administration to make a decision on the cell phone plan that would best fit their needs and give the authority to the Parish President and the Parish Administrator the right to sign any and all contracts, and **carried** by a vote of seven (7) yeas, one (1) nay, that being of Mr. Lindel Toups, and one (1) absent, that being of Mr. Michael Matherne.

RESOLUTIONS

The next item (4) on the agenda was a resolution requesting the Lafourche Parish District Attorney to approve the hiring of Mr. Christopher Riviere to defend the parish regarding the lawsuit entitled, James Thomas, Sr. V. Eddie Rodrigue, et al, Case No. 04-2657, J(2), at a rate of \$125.00 per hour. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer. Mr. Lindel Touns asked who put this item on the agenda and wants to pay \$125 per hour. President Randolph stated that the District Attorney requested this hiring. Mr. Mark Atzenhoffer asked if this would come out of the District Attorney's budget. President Randolph stated that it would come from the same budget. A discussion ensued on clarifications of the law suit. The motion *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

RES. NO. 04-203 HIRING OF MR. CHRISTOPHER RIVIERE

The next item (5) on the agenda was a resolution authorizing the Parish President to sign, administer, execute the necessary document(s) to JBC/AIA to cease all plans on the Bayou Blue Library until further notice. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Mr. Mark Atzenhoffer explained that a change was made in the original agreement and the plans would also change. Chairman Lasseigne requested Mr. Caillouet to address the Council on the specifics. Mr. Daniel Lorraine asked Mr. Caillouet if the Library in Mr. Michael Delatte and Mr. Mark Atzenhoffer's area are the same. Mr. Caillouet responded that they were the same building design. A discussion ensued on bids and prices. Mr. Daniel Lorraine asked Mr. Chiquet how much money was already spent on the Bayou Blue Library. Mr. Chiquet replied with a little over \$20,000. Chairman Lasseigne asked for clarification on the site problems. A detailed discussion ensued. The motion *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

RES. NO. 04-204 CEASE ALL PLANS ON THE BAYOU BLUE LIBRARY

The next item (6) on the agenda was a resolution authorizing Change Order No. 2 for work being performed on the Lafourche Parish Galliano Health Unit; and authorizing the Parish President to sign all pertinent documents. A **motion** was offered by Mr. Lindel Touns, seconded by Mr. Phillip Gouaux, and *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent, that being of Mr. Michael Matherne.

RES. NO. 04-205 GALLIANO HEALTH UNIT, CHANGE ORDER NO. 2

The next item (7) on the agenda was a resolution requesting the Lafourche Parish Legislative Delegation support legislation that would expropriate by a declaration of taking by the Lafourche Parish Council; and that a provision be incorporated into the legislation to include coastal restoration projects and that a super majority be required of the Council to ratify said expropriation. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Phillip Gouaux. Mr. Phillip Gouaux stated that Terrebonne Parish also had a similar resolution which he felt was working out fine and recommended that the Council vote for this one. The motion *carried* by a vote of seven (7) yeas, one (1) nay, that being of Mr. Mark Atzenhoffer, and one (1) absent, that being of Mr. Michael Matherne.

RES. NO. 04-206 SUPPORT LEGISLATION

PUBLIC TO ADDRESS THE COMMITTEE

The next item on the agenda was the Public to Address the Committee. Mr. Charles Beasley spoke in reference to School Boards. A brief discussion ensued. Ms. Marilyn Duet reiterated what Mr. Chiquet had said and responded to a statement that was made by Mr. Lindel Touns.

OTHER BUSINESS

The next item on the agenda was Other Business. Mr. Phillip Gouaux requested that the Administration try to minimize the amount of Special Council meetings.

A **motion** was offered by Mr. Phillip Gouaux and unanimously seconded to cancel the December 28, 2004 Committee meetings.

President Randolph asked if the Council was still interested in hiring a photographer for the December 14, 2004 meeting to do a re-enactment of the “swearing in”. She then asked for the Council’s opinion on the new parish logos.

ADJOURNMENT

On **motion** by Mr. Mark Atzenhoffer, seconded by Mr. Daniel Lorraine, and with no further business, the Lafourche Parish Council Finance and Legislative Committee meeting of November 23, 2004, **adjourned** at 8:15 p.m.

Next, a **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Mark Atzenhoffer, to **deviate** from the agenda to discuss items (57) and (58), and **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (57) on the agenda was a resolution approving contract(s) with MBIA Asset Management Group to handle the investments for Lafourche Government; and authorizing the Parish President to sign, execute and administer said contract(s). A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to adopt said resolution, **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-225 MBIA ASSET MANAGEMENT GROUP

DISCUSSIONS

The next item (58) was a discussion concerning truck stops. Ms. Ann Barker, resident of the Central Lafourche area, stated that she was a practicing attorney in Houma. She spoke of the proposed ordinance and gave her opinions on why the Council should consider taking affirmative action to limit video poker truck stops in Lafourche Parish. Ms. Barker said, “first of all, they generate no sales taxes for Lafourche Parish and instead drain money out of the parish”. She said state laws prevent video poker proceeds to be taxed by local authorities. Ms. Barker said that truck stop casinos in heavily populated residential and commercial areas cause serious highway safety issues. She continued by stating that the truck stops are causing small businesses, which contribute to the parish tax base, to be forced to close. Ms. Barker spoke of the authority of the Council.

Ms. Mary F. Gaubert, resident of Mathews, stated that she would be right across the street from the proposed casino truck stop. She said that she was basically concerned about drainage, which was recently reworked with the bridge. Ms. Gaubert was worried that the run-off from all the concrete would drain onto her property. She said that she was also concerned about the addictive nature of gambling and spoke of a study that was done by Southern University in 2002.

Mr. Nicholas Zeringue, on behalf of Breaux Petroleum, stated that he had previously represented various political subdivisions in the parish. He said that his clients were already in the process of developing the property for the truck stop casino and already had all necessary permits from the parish to begin construction. Mr. Zeringue continued by clarifying some statements that were made by Ms. Barker. He then mentioned a letter received from District Attorney Morvant, dated December 2, 2004 (among others), which sited that enacting an ordinance could potentially place the parish in a litigious situation. The letter also referenced a master plan.

Mr. Jim Falgout, owner of a petroleum management consulting company located in Metairie, stated that his company dealt with the downstream part of the petroleum business. He said that he was born and raised in Lafourche Parish. Mr. Falgout went into further detail of the company and his background. He said he was present to speak on behalf of B&D Truck Stop and Casino, Inc. owned by Mr. Bud Breaux (owner/President of Breaux Petroleum Products) and Mr. Dan Duplantis (Vice President of Raceland Sugar). He spoke of plans of a future truck stop casino/fast food establishment to be built on the corner of state

highway 308 and 654 by Mr. Breaux and Mr. Duplantis. Mr. Falgout again continued with validations of the company. He addressed concerns of safety and the environment which were brought to his attention by the local community. Mr. Falgout said that he thought the site was a great location. Chairman Toups requested that Mr. Falgout continue with that discussion under the proposed ordinances and that this item was for truck stops. Mr. Falgout then asked for the Council to consider and approve the project. Mr. Mark Atzenhoffer asked if a list of facilities could be provided to the Council that the company manages in the south Louisiana area.

Mr. Leon "Bud" Breaux, III explained how casino money was distributed. He then referred to a comment that was made by Ms. Barker in reference to the highway being used by school buses and said that he agreed. Mr. Breaux then stated that Hwy 308 and Hwy 1 are the only highways that led to the Port of Fourchon, Bollinger, North American, Schouest and other work places which are already heavily traveled by eighteen-wheelers. He continued with details of what was being asked, what was done and to be done.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Dr. Tommy Lasseigne, to **return to item (9) on the regular agenda**, and *carried* by a vote of nine (9) yeas and zero (0) nays.

Next, a **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Michael Delatte, to *enter* into the **Executive Session**, and *carried* by a vote of nine (9) yeas and zero (0) nays.

EXECUTIVE SESSION

The next item (9) on the agenda was an Executive Session to discuss the following:

- a.) Lafourche Real Estate and Associates, et al versus Lafourche Parish Council, No. 83939
- b.) Smithport Planting versus Suard Barge Services, No. 95364

Next, a **motion** was offered by Mr. Brent Callais, seconded by Mr. Michael Matherne, to *close* the **Executive Session**, and *carried* by a vote of nine (9) yeas and zero (0) nays.

The next item (10) on the agenda was for any action necessary from the Executive Session. Chairman Toups stated that there was no action necessary from Executive Session.

PRESENTATIONS

The next item (11) on the agenda was a presentation by Mr. John Nix with IESI and Mr. Dave Hartman with Belle Co. regarding the proposed Subtitle "D" Non-Hazardous Solid Waste Belle Landfill. Mr. Dave Hartman, General Manager of Belle, stated that the company has been trying for over ten years to site a landfill in Assumption Parish. He stated that the landfill would be non-hazardous and serve communities from the river and bayou parishes. Mr. Hartman showed the Council and the Public a map of the location of the proposed facility.

Mr. John Nix with IESI presented additional information on the project. He stated that IESI and Belle had partnered about three years ago to bring the project to reality. Mr. Nix presented key points about the companies. He said that both companies were non-hazardous companies. Secondly, the proposed service area were basically the fourteen parishes around Assumption Parish. He spoke of the Department of Environmental Quality and of the original permits. Mr. Nix continued his presentation.

Mr. Phillip Gouaux stated his opinions on the projects.

Chairman Toups asked what was the reasons that they have been trying to get the location for ten years and not yet succeeded. Mr. Hartman stated that an application was submitted in 1994 and on August 15, 1997 a permit was issued with eleven restrictions. He then went into detail on what had then happened in the Court Systems and with all the changes of Secretaries, Governors, and other governing bodies. Mr. Hartman mentioned that a Public Hearing was held in Assumption Parish on December 4, 2004 and that the

comment period was extended until January 10, 2005 by which DEQ will surrender a decision.

Mr. Mark Atzenhoffer asked if the company could accept waste from outer state. Mr. Hartman stated that they presently have a 14 parish service area. He said that the permit went back to the original 1995 application. The application states unlimited service areas and fully expected that it would be restricted by the Secretary. He stated that they economically they did not want to take waste out of 14 parishes and would agree to it in a minute. A detailed discussion ensued.

PRESIDENT'S REPORT

The next item (12) on the agenda was a presentation of monthly report on parish finances as required by the Lafourche Parish Home Rule Charter. President Randolph handed out some information that she had collected at the Transportation Road Show which showed projects proposed for State highways in 2005-2006. She said that Senator Mary Landrieu's office had provided the parish with \$250,000 (\$50,000 to go to the Lockport Senior Citizen Center for renovations and the remaining \$200,000 to be used in Recreation). President Randolph stated that the Administration met with the Corp. representatives concerning a \$415,000 FEMA remapping grant. She stated that the Administration would be working with the Corp. to participate in the remapping project as part of a master drainage plan. President Randolph introduced Mr. Chris Boudreaux as the new OEP Director.

Ms. Shannon Chiasson said that the Councilman had copies of the finance reports and of the power point presentation. She asked if anyone had any questions.

Dr. Tommy Lasseigne made a comment on Section 1, Page 1, of the proposed budget. He mentioned for the Public's information that the video poker's proposed revenue was \$545,000 and that a supplemental appropriation adjusted it to \$600,000 for the year. Dr. Lasseigne then asked about Section 4, Page 2, pertaining to fuel cost. Ms. Chiasson stated that drainage was absorbing the cost for most of the entities that fuel at the barns. In addition, the prices for fuel were higher and the pumps ran more with all the storms that the parish endured. She then said that Drainage and Roads and Bridges were re-classed to level the cost.

Mr. Mark Atzenhoffer asked about the other agencies that purchase fuel from the parish barns that are not in the budget and requested that it be broken down. Mr. Atzenhoffer relinquished his time to Mr. Cullen Curole, Parish Administrator to speak. Mr. Curole stated that beginning on January 1st that the different entities will again be charged for their fuel usage as it was in the previous Administration. He said that tickets were used and they could create a log of the breakdown of fuel usage for 2004. Mr. Mark Atzenhoffer stated that he would like to see the breakdown done. A brief discussion ensued on why and how it should be done.

Ms. Chiasson gave an update on technology issues by stating that the new computers were connected in the Finance Department and 26 more were scheduled to be disbursed throughout the parish. She said that the networks were both built, Thibodaux's was up and functioning.

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

PUBLIC HEARING & ORDINANCES FOR RATIFICATION

The next item (13) on the agenda was an ordinance abolishing Lafourche Parish Drainage District No. 12 (Raceland), rescinding and repealing an ordinance adopted by the Police Jury of the Parish of Lafourche, State of Louisiana, on May 15, 1913, providing for the creation of the District; and providing for other matters necessary in connection therewith. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. Mr. Mark Atzenhoffer stated that this district was in the Raceland Prairie. He said that he had met with the one remaining board member, which was in agreement to the ordinance. Mr. Atzenhoffer said that the district was presently collecting \$24-25,000 a year. He said that the district had no equipment and few employees. Mr. Atzenhoffer stated that after meeting with Mr. Ray

Cheramie that he also agreed that the parish could absorb the district into the parish without any major problems with an agreement that the reservoirs would be dug out in 2005. Mr. Atzenhoffer stated that the one remaining pump could be maintained with the funds from the drainage funds. He then asked for the Council's approval. Chairman Toups asked Mr. Cheramie about how long he thought it would take to dig out the reservoirs. Mr. Cheramie said that it would depend on how much equipment could be moved into the area. He estimated two years if only one excavator was used. Chairman Toups then asked if the project would affect any other areas of the parish. Mr. Cheramie said that it was his intention to begin the project and to move the equipment as needed in other areas. Mr. Atzenhoffer stated that he was doing research in utilizing some funds to purchase another excavator to help handle work loads of additional projects. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3515 ABOLISHING DRAINAGE DISTRICT NO. 12 (RACELAND)

The next item (14) on the agenda was an ordinance authorizing the Parish President to enter into a contract with SWDI, LLC, the term to begin on January 1, 2005 and terminate on December 31, 2009; authorizing the Parish President to enter into amended Intergovernmental Agreement with the Towns of Lockport and Golden Meadow relative to said contract; and authorizing the Parish President to sign said contract with SWDI, LLC and said amended Intergovernmental Agreements with the Towns of Lockport and Golden Meadow. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte. Mr. Phillip Gouaux said that minor amendments were needed to the ordinance and requested that Mr. Jerome Danos present an overview of the contract. Mr. Danos stated that the main difference in the contract was the elimination of the recycling program, which would save the parish approximately \$400,000. Another difference would be tighter restrictions on the way garbage would be prepared (to bag, bundle, or tie and put in containers as much as possible to make it more efficient and less costly). Mr. Danos stated that they were going to begin an implementation of not accepting any contractor debris. He said that the basic two times a week of garbage service would remain the same and once a week trash. Mr. Danos explained how purchasing larger trucks would also save money. A brief discussion ensued on the weight difference of the larger trucks and the additional damages it would cause to the parish streets. Mr. Phillip Gouaux mentioned the three sites that would be placed within the parish whereby citizens can drop off their recyclables. A detailed discussion ensued about the deficit, franchise fees, and recycling. Another discussion ensued in reference to bids versus proposals. Discussions continued about commercial disposals and the increases per yardage. Discussions briefly continued. The ordinance *carried* by a vote of six (6) yeas, two (2) nays, that being of Mr. Brent Callais and Mr. Michael Matherne, and one (1) abstained, that being of Mr. Daniel Lorraine.

ORD. NO. 3516 CONTRACT WITH SWDI, LLC

The next item (15) on the agenda was an ordinance enacting Sections 15:36, 15:37, 15:38, and 15:39 of Sub-Chapter "C", entitled Peddlers, Hawkers, and Sales from Portables Displays and Vehicles, of Chapter 15 of the Code of Ordinances of the Lafourche Parish Council as it pertains to peddler licenses and mobile seafood vendors. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne. Ms. Holly Donahue with Holly Marie's Seafood Market in Raceland stated that she was present to ask for the Council's support to help her with her business. Mr. Clint Guidry from Lockport stated that he was also in the seafood business. He referred to himself as a peddler. He stated that he has all his licenses and that he was legal. Chairman Toups asked Mr. Guidry if he bought all his seafood or did he also catch some of it. Mr. Guidry said that he presently buys all of his seafood and that he use to shrimp. Chairman Toups then asked if he had proof of licenses and that he pays taxes with them on the side of the road. Mr. Guidry replied that he does because he had been checked before. Mr. Michael Matherne asked Mr. Guidry what locations did he use and what it depended on (the weather or traffic). Mr. Guidry stated that the weather was a definite factor and if it was raining he could not go out. He then said that he parks under a bridge, on the side of roads, on Highway 90, and sometimes in Cut Off. A detailed discussion ensued. Mr. Phillip Gouaux asked Mr. Guidry what did the State require. Mr. Guidry stated that the State required a Wildlife license (mobile

unit license) which was \$250 a year. Mr. Gouaux then asked about the Board of Health requirements. Mr. Guidry said the license was \$10 a month or \$100 for the entire year. Mr. Mark Atzenhoffer asked Mr. Guidry if he collected sales tax and how much property taxes does he pay. Mr. Guidry stated that he collects sales tax and that he does not pay any property taxes. Mr. Atzenhoffer then asked Ms. Donahue how much property taxes would she have to pay this year. Ms. Donahue stated that it was right under \$3,000. Mr. Mark Atzenhoffer stated that he was not asking for the peddlers to not do business but asking for this ordinance because he wanted the peddlers to do their business on private property and not on public property. Detailed discussions continued. Mr. Atzenhoffer gave a power point presentation of pictures that he had taken of roadside vendors. The ordinance *failed* by a vote of two (2) yeas, that being of Mr. Mark Atzenhoffer and Mr. Michael Matherne, and seven (7) nays, that being of Mr. Tyrone Williams, Mr. Michael Delatte, Dr. Tommy Lasseigne, Mr. Lindel Toups, Mr. Phillip Gouaux, Mr. Brent Callais, and Mr. Daniel Lorraine.

ORDINANCE FAILED PEDDLER LICENSES AND MOBILE SEAFOOD VENDORS

The next item (16) on the agenda was an ordinance to repeal Sub-Chapter “C” of Chapter 2 entitled “Administration and Organization” of the Code of Ordinances of the Lafourche Parish Council as it pertains to provisions governing operations of the parish governing body; and to further restructure and enact new provisions regarding said matter. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer.

a.) **AMENDMENT** - regarding Section 2:207(A)2a to add **“Legislative Officials shall obtain the approval of the Parish President or the Parish Administrator.”** This item was *deferred*.

b.) **AMENDMENT** - to add 2d in Section 2:207(A) to state **“Any out-of-state travel for all Council members, Parish Employees and the Administration, must be approved by the Council.”** A **motion** was offered by Mr. Brent Callais and seconded by Mr. Michael Matherne. A detailed discussion ensued. The amendment *failed* by a vote of one (1) yea, that being of Mr. Brent Callais and eight (8) nays.

c.) **AMENDMENT** - regarding Section 2:207(A)3b to remove **“...or within the Parish when over 30 miles away from a person’s domicile that...”** A **motion** was offered by Mr. Brent Callais and seconded by Mr. Michael Matherne. The amendment *carried* by a vote of two (2) yeas, that being of Dr. Tommy Lasseigne and Mr. Phillip Gouaux, and seven (7) nays.

The original ordinance *carried* by a vote of seven (7) yeas and two (2) nays, that being of Mr. Mark Atzenhoffer and Dr. Tommy Lasseigne.

ORD. NO. 3517 REPEAL SUB-CHAPTER “C” OF CHAPTER 2

The next item (17) on the agenda was an ordinance to authorize a second sale of adjudicated property by sealed bids to sell adjudicated property located at Lot 127 Guichetville Subdivision, Raceland, Louisiana; to reject all bid(s) made under the original authority to proceed to sale made via Ordinance No. 3200 in 2003; to authorize and approve an Act of Cash Sale; and to authorize the Parish President to sign all necessary documents related to said sale; and to provide certified copies to all involved parties. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais. The ordinance *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent from the room, that being of Mr. Michael Matherne.

ORD. NO. 3518 AUTHORIZE A SECOND SALE OF ADJUDICATED PROPERTY, LOT 127 GUICHETVILLE SUBDIVISION

The next item (18) on the agenda was an ordinance rescinding Ordinance No. 3463 as it pertains to a moratorium on all future aviation facilities from the Intracoastal Canal South to Louisiana Highway 3161 (Cote Blanche Connection) and from Louisiana Highway 1 West to the South Lafourche Levee District Levee, consisting all property adjacent to Louisiana Highway 3235 until December 31, 2005. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Phillip Gouaux. The ordinance *carried* by a vote of five (5) yeas, three (3) nays, that being of Mr. Michael Delatte, Mr. Brent Callais, and Mr. Mark Atzenhoffer, and one (1) absent from the room, that being of Mr. Michael Matherne.

ORD. NO. 3519 RESCINDING ORDINANCE NO. 3463

The next item (19) on the agenda was an ordinance establishing a load limit of ten (10) tons on Brocato Lane, Triple Oaks Drive, and Williams Street, Ward 3, District 6 of Lafourche Parish; requiring the placement of "Load Limit" signs; and providing for penalties for violations thereof. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Matherne. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3520 ESTABLISHING A LOAD LIMIT OF TEN (10) TONS ON BROCATO LANE, TRIPLE OAKS DRIVE, AND WILLIAMS STREET

The next item (20) on the agenda was an ordinance prohibiting "Loitering" on West 58th Street and West 59th Street, Ward 10, District 8 of Lafourche Parish. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer. The ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORD. NO. 3521 PROHIBIT "LOITERING" ON WEST 58TH AND WEST 59TH STREETS

The next item (21) on the agenda was an ordinance providing for the incurring of debt and issuance of not exceeding \$15,000,000.00 of Road Bonds, Series 2005 of the Parish of Lafourche; prescribing the form, terms and conditions of the Bonds; designating the date, denomination and place of payment thereof in principal and interest; authorizing the agreement with the Paying Agent; providing for the acceptance of an offer for the purchase of the Bonds; and providing for other matters in connection therewith. A **motion** was offered by Dr. Tommy Lasseigne and seconded by Mr. Daniel Lorraine to *defer* this item. The motion to *defer* the ordinance *carried* by a vote of nine (9) yeas and zero (0) nays.

ORDINANCE WAS DEFERRED

PROPOSED ORDINANCES

The next item (22) on the agenda was a proposed ordinance rescinding and repealing Ordinance No. 2455, and thereby reinstating the levy and collection throughout the boundaries of Sales Tax District No. 4 of the one percent (1%) sales and use tax for solid waste collection and disposal purposes which was authorized to be levied by the voters voting in an election held within the District on September 27, 1986; and authorizing the executive officers of this Parish Council and the Parish President to take any and all action necessary to provide that the levy and collection of the full one percent (1%) sales and use tax for the aforesaid purposes shall be reinstated and be in effect on April 1, 2005. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE RESCINDING AND REPEALING ORDINANCE NO. 2455

The next item (23) on the agenda was a proposed ordinance providing for participation in the South Central Clean Water Action Plan and to further provide for a portion of the local match in the amount of \$161,722.00; and that the Parish President be authorized to execute any Intergovernmental Agreements required for participation in the project. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE SOUTH CENTRAL CLEAN WATER ACTION PLAN

The next item (24) on the agenda was a proposed ordinance approving the holding of an election in Fire Protection District No. 8-C of the Parish of Lafourche, to authorize the levy of a parcel fee therein. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ELECTION IN FIRE PROTECTION DISTRICT NO. 8-C

The next item (25) on the agenda was a proposed ordinance prohibiting loitering at the intersection of Romy Drive and Sixteenth Street, Nolan Touns Subdivision, Lockport, Louisiana; providing for penalties of violators; and authorizing the installation of the "No Loitering" signs. A **motion** was offered by Mr. Phillip Gouaux to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE PROHIBITING LOITERING AT THE INTERSECTION OF ROMY DRIVE AND SIXTEENTH STREET

The next item (26) on the agenda was a proposed ordinance authorizing the Parish President to sign a purchase agreement for the purchase of the Whitney Bank Building by the Lafourche Parish Council to

house the District Attorney's Office and a portion of the Lafourche Parish Sheriff's Office, at the appraised value of \$2,500,000.00 with a deposit of \$20,000.00 due on January 15, 2005. This item was *moved* under Resolutions on the agenda.

The next item (27) on the agenda was a proposed ordinance declaring property belonging to the Lafourche Parish Council Head Start Program as disposable property. A **motion** was offered by Mr. Michael Matherne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE DECLARING PROPERTY AS DISPOSABLE PROPERTY

The next item (28) on the agenda was a proposed ordinance accepting into the parish system the subdivision known as the "Allen Thibodaux Lot Extensions", Ward 10, District 8. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ALLEN THIBODAUX LOT EXTENSIONS

The next item (29) on the agenda was a proposed ordinance accepting into the parish system the subdivision known as the "Tracts "A" and "B", a redivision of property belonging to Octave J. Sommers, III", Ward 9, District 6. A **motion** was offered by to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE TRACTS "A" AND "B", A REDIVISION OF PROPERTY BELONGING TO OCTAVE J. SOMMERS, III

The next item (30) on the agenda was a proposed ordinance accepting into the parish system the subdivision known as the "Wally G. Rodrigue Subdivision", Ward 6, District 2. A **motion** was offered by Mr. Michael Delatte to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE WALLY G. RODRIGUE SUBDIVISION

The next item (31) on the agenda was a proposed ordinance accepting into the parish system the subdivision known as the "Lot Extensions and redivision of property belonging to Todd Brady", Ward 10, District 8. A **motion** was offered by Mr. Brent Callais to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE LOT EXTENSIONS AND REDIVISION OF PROPERTY BELONGING TO TODD BRADY

The next item (32) on the agenda was a proposed ordinance accepting into the parish system the subdivision known as the "Oak Grove Park Subdivision, Phase III", Ward 11, District 4. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE OAK GROVE PARK SUBDIVISION, PHASE III

The next item (33) on the agenda was a proposed ordinance approving the holding of an election in Fire Protection District No. 7 of the Parish of Lafourche to authorize the levy of a tax renewal therein. A **motion** was offered by Dr. Tommy Lasseigne to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ELECTION IN FIRE PROTECTION DISTRICT NO. 7

The next item (34) on the agenda was a proposed ordinance to amend Ordinance No. 3407 to amend the lease agreement with Lafourche Parish Recreation District No. 8 for a plot of land in Gheens for ninety-nine (99) years at a cost of \$100.00 per year in order to construct a portable building measuring 24' x 40' for a cost not to exceed \$50,000.00 in order to increase the boundaries of said land; and to authorize the signing of all pertinent documents associated with the ordinance. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMEND ORDINANCE NO. 3407

The next item (35) on the agenda was a proposed ordinance to amend and re-enact Section 12:3 of Chapter 12 of the Code of Ordinances as it pertains to the membership of the Lafourche Parish Library Board of Control. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE AMEND AND RE-ENACT SECTION 12:3 OF CHAPTER 12

The next item (36) on the agenda was a proposed ordinance to enact regulations and establish definitions regarding truck stop developments and truck stops with gaming devices in Lafourche parish; and to provide for related matters. A **motion** was offered by Mr. Lindel Toups to introduce the above stated

proposed ordinance.

PROPOSED ORDINANCE TRUCK STOP DEVELOPMENTS AND GAMING DEVICES

The next item (37) on the agenda was a proposed ordinance approving the issuance, sale and delivery of not exceeding \$650,000.00 of General Obligation Refunding Bonds, Series 2005, of Recreation District No. 2 of the Parish of Lafourche, and other matters relating thereto. A **motion** was offered by Mr. Lindel Toups to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2005, OF RECREATION DISTRICT NO. 2

RESOLUTIONS

Next, item (26), which was previously a proposed ordinance on the agenda, was moved to a resolution authorizing the Parish President to sign a purchase agreement for the purchase of the Whitney Bank Building by the Lafourche Parish Council to house the District Attorney’s Office and a portion of the Lafourche Parish Sheriff’s Office, at the appraised value of \$2,500,000.00 with a deposit of \$20,000.00 due on January 15, 2005. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte to adopt said resolution. District Attorney Camille Morvant stated that the copies of information that was sent to the Council members pertaining to this matter was a working document and that negotiations continued with Whitney. He referenced item number 3 on page 1 of the document and then page 3, section 10, the third paragraph. Mr. Morvant continued with changes to the terms of lease on page 4, section 12, sub-section “B”. Mr. Brent Callais referred to the Home Rule Charter which states that property needs to be acquired by ordinance. Mr. Morvant explained that it was an agreement/contract and that property was not being acquired. A brief discussion ensued. The motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-207 PURCHASE AGREEMENT FOR THE WHITNEY BANK BUILDING

The next item (38) on the agenda was a resolution opposing the proposed Type I Solid Waste Landfill and requesting the Louisiana Department of Environmental Quality to deny any permits for the establishment of the Belle Co. Landfill. The resolution **died** for lack of a motion.

RESOLUTION DIED

The next item (39) on the agenda was a resolution requesting the Administration to install a sulphur street light at the intersection of Louisiana Highway 3235 and the Cote Blanche Connection in Cut Off, Louisiana, due to a dangerous intersection. A **motion** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to adopt said resolution. An **amendment** was offered by Mr. Brent Callais and seconded by Mr. Mark Atzenhoffer to remove “*a sulphur street light*” and to instead state “*two sulphur street lights*” because two lights were required to be installed, and **carried** by a vote of nine (9) yeas and zero (0) nays. The original motion **carried** by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-208 INSTALLING TWO SULPHUR STREET LIGHTS

The next item (40) on the agenda was a resolution requesting the Lafourche Parish District Attorney to approve the hiring of Mr. Scott Schneider of Fisher and Phillips at a rate of \$150.00 per hour to advise the Parish and various Districts on personnel matters. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Matherne to adopt said resolution. An **amendment** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to add “*and labor law*” behind the words “*various Districts on personnel*” and before the word “*matters*”. Dr. Tommy Lasseigne asked what was the reasoning for requesting this resolution. District Attorney Camille Morvant clarified that nothing was presently pending and that it was because his office had received a lot of calls from the Water District and other agencies on labor and personnel related matters. He said that his office did not quite have the expertise and was having trouble on giving out advise. A brief discussion and explanations ensued. The amendment **carried** by a vote of seven (7) yeas, zero (0) nays, and two (2) absent from the room, that being of Mr. Tyrone Williams and

Dr. Tommy Lasseigne. The original motion *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent from the room, that being of Mr. Tyrone Williams.

RES NO. 04-209 HIRING OF MR. SCOTT SCHNEIDER OF FISHER AND PHILLIPS

The next item (41) on the agenda was a resolution requesting an opinion from the Lafourche Parish District Attorney to determine whether or not family members or spouses of Council members can serve on parish boards. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Phillip Gouaux, to adopt said resolution, and *carried* by a vote of eight (8) yeas, zero (0) nays, and one (1) absent from the room, that being of Mr. Tyrone Williams.

RES NO. 04-210 DA'S OPINION, SERVING ON PARISH BOARDS

The next item (42) on the agenda was a resolution requesting the Lafourche Parish District Attorney to approve the hiring of Mr. Leslie Clement at a rate of \$125.00 per hour to perform a title search and render a title opinion for the purchase of property from Mr. Howard Dufrene for the Jessie Dufrene Pump Station. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to adopt said resolution. An **amendment** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais to state "*not to exceed \$2,500*" and *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-211 APPROVE THE HIRING OF MR. LESLIE CLEMENT TO PERFORM A TITLE SEARCH, MR. HOWARD DUFRENE PROPERTY

The next item (43) on the agenda was a resolution requesting the Administration to hire an appraiser for the purchase of property from Mr. Howard Dufrene for the Jessie Dufrene Pump Station. A **motion** was offered by Mr. Phillip Gouaux, seconded by Dr. Tommy Lasseigne, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-212 HIRING OF AN APPRAISER, MR. HOWARD DUFRENE PROPERTY

The next item (44) on the agenda was a resolution approving the hiring of an Architect to perform an inspection of the Whitney Building in anticipation of the building purchase to house both the District Attorney's Office and offices of the Lafourche Parish Sheriff. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Michael Delatte to adopt said resolution. An **amendment** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to state "*a certified inspector*" instead of "*an Architect*". A detailed discussion ensued. Mr. Atzenhoffer *removed* his amendment because it would change the scope of the resolution and requested that the Council vote it down. Mr. Gouaux removed his second. An **amendment** was offered by Dr. Tommy Lasseigne and seconded by Mr. Michael Matherne to add "*to hire Joseph Caillouet on December 14, 2004 and not to exceed \$1,000*". The amendment *carried* by a vote of seven (7) yeas and two (2) nays, that being of Mr. Mark Atzenhoffer and Mr. Brent Callais. The original motion *carried* by a vote of seven (7) yeas and two (2) nays, that being of Mr. Mark Atzenhoffer and Mr. Brent Callais.

RES NO. 04-213 INSPECTION OF THE WHITNEY BUILDING

The next item (45) on the agenda was a resolution approving the hiring of an attorney to perform a title search and render a title opinion on the Whitney Building in anticipation of the buildings purchase to house both the District Attorney's Office and offices of the Lafourche Parish Sheriff. A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne to adopt said resolution. An **amendment** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to "*hire Mr. Leslie Clement at \$7,754*". Mr. Brent Callais asked Mr. Morvant why this matter could not be handled by one of the attorneys in his office. Mr. Morvant stated that malpractice insurance was necessary and that no one in the office had that type of insurance. Dr. Tommy Lasseigne clarified that the attorney was doing the work for \$700 and that the rest of the money (\$7,054) was for title insurance. The amendment *carried* by a vote of nine (9) yeas and zero (0) nays. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-214 HIRING OF AN ATTORNEY TO PERFORM A TITLE SEARCH AND RENDER A TITLE OPINION ON THE WHITNEY BUILDING

The next item (46) on the agenda was a resolution approving an agreement offered by the Department of Health and Hospitals to implement a Beach Monitoring Program on Fourchon Beach in accordance with State requirements; and authorizing the Parish President to sign, execute and administer said agreement and all associated documents. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-215 TO IMPLEMENT A BEACH MONITORING PROGRAM ON FOURCHON BEACH

The next item (47) on the agenda was a resolution approving the cancellation of the Morristown Sewerage Project due to the inability to secure land rights from certain land owners; and authorizing the Parish President to forward official notice of this decision to South Central Planning and Development, the Louisiana Office of Community Development and the U. S. Department of Housing and Urban development; and authorizing the Parish President to reimburse the Federal Government all necessary expenses. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais to adopt said resolution. Dr. Tommy Lasseigne asked why was the parish giving up \$90,000 in a \$1 million project. Mr. Mark Atzenhoffer stated that it was because the appraiser had appraised the land at \$1,800, the land owner was asking for \$7,500 and a fence, which was over the 5% over appraised value allowed by the state law. A detailed discussion ensued. The motion *carried* by a vote of six (6) yeas and three (3) nays, that being of Dr. Tommy Lasseigne, Mr. Daniel Lorraine, and Mr. Tyrone Williams.

RES NO. 04-216 CANCELLATION OF THE MORRISTOWN SEWERAGE PROJECT

The next item (48) on the agenda was a resolution approving the acceptance of the low bid for the removal and disposal of the Region A and Region B Field Offices abandoned storage tanks; and authorizing the Parish President to sign, execute, and administer said contracts and all relevant documents. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer to adopt said resolution. Chairman Toups asked if this project could be done in-house. Mr. Ray Cheramie stated that it could not be done in-house because the tanks needed to be wrapped to bring it to the disposal site and they would need to be dug out. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-217 REMOVAL AND DISPOSAL OF ABANDONED STORAGE TANKS

The next item (49) on the agenda was a resolution authorizing the firm of Joseph B. Caillouet Architects, (JBC/AIA), a notice to proceed with the construction administration phase of the Gheens Library Building; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-218 NOTICE TO PROCEED, GHEENS LIBRARY BUILDING

The next item (50) on the agenda was a resolution authorizing the firm of Joseph B. Caillouet Architects, (JBC/AIA), a notice to proceed with the construction document phase and the bidding phase of the Galliano Library Building; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-219 NOTICE TO PROCEED, GALLIANO LIBRARY BUILDING

The next item (51) on the agenda was a resolution authorizing the firm of Joseph B. Caillouet Architects, (JBC/AIA), a notice to proceed with the construction document phase and the bidding phase of the Ward 6 Library Building; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Michael Delatte, seconded by Mr. Mark Atzenhoffer, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-220 NOTICE TO PROCEED, WARD 6 LIBRARY BUILDING

The next item (52) on the agenda was a resolution authorizing the firm of Joseph B. Caillouet Architects, (JBC/AIA), a notice to proceed with the construction of the Bayou Blue Library Building; and authorizing the Parish President to sign all necessary documents. A **motion** was offered by Mr. Mark

Atzenhoffer, seconded by Mr. Michael Delatte, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-221 NOTICE TO PROCEED, BAYOU BLUE LIBRARY BUILDING

The next item (53) on the agenda was a resolution recommending that all Lafourche Parish Citizens refrain from watching the CBS, NBC and ABC television national news until such time as changes are made to its mode of operation and it returns to unbiased news reporting. This item was *pulled*.

RESOLUTION WAS PULLED

The next item (54) on the agenda was a resolution requesting the Administration to solicit for Requests For Quotes for low speed impact barriers for the entire length (approximately 2.5 miles) of Bayou Folsé Road. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Daniel Lorraine to adopt said resolution. Chairman Toups asked if this item was just for quotes and to clarify that it would come back to the Council before any purchases were to be made. Mr. Mark Atzenhoffer and President Randolph responded by saying that it would come back to the Council. Detailed discussions ensued. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-222 SOLICIT REQUESTS, QUOTES FOR LOW SPEED IMPACT BARRIERS

The next item (55) on the agenda was a resolution concerning a second request to the Louisiana Department of Transportation and Development to permanently fix the sink hole on Louisiana Highway 316 between Meadowland Drive and Ozia Skyline Drive, Bayou Blue, Ward 11 of Lafourche Parish. A **motion** was offered by Mr. Mark Atzenhoffer, seconded by Mr. Brent Callais, to adopt said resolution, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-223 PERMANENTLY FIX SINK HOLE ON LOUISIANA HIGHWAY 316

The next item (56) on the agenda was a resolution requesting the Department of Transportation and Development to reduce the speed limit from the Bollinger Bridge, North, to the Town Limits of Lockport, to 45 miles per hour. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Brent Callais to adopt said resolution. An **amendment** was offered by Mr. Phillip Gouaux and seconded Mr. Mark Atzenhoffer to state "on LA 1" and *carried* by a vote of nine (9) yeas and zero (0) nays. The original motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES NO. 04-224 REDUCE THE SPEED LIMIT FROM THE BOLLINGER BRIDGE

The next item (57) on the agenda was a resolution approving contract(s) with MBIA Asset Management Group to handle the investments for Lafourche Government; and authorizing the Parish President to sign, execute and administer said contract(s). This item was previously discussed by deviation at the beginning of the meeting.

DISCUSSIONS

The next item (58) was a discussion concerning truck stops. This item was previously discussed by deviation at the beginning of the meeting.

The next item (59) was a discussion concerning street lights. Chairman Toups stated that the new Lakeview Subdivision had five lights in which were broken and that there are no replacement parts available. He stated that the Council should be able to regulate what types of lights that can be installed, so they can be replaced when broken. Chairman Toups said that he wished that the Subdivision Regulation Committee could put stipulations on lighting in any new subdivision to make it standardized. Mr. Mark Atzenhoffer also requested that the Subdivision Regulation Committee be aware of the problem. Ms. Sharleen Hotard, a member of the Subdivision Regulation Committee, was present and she volunteered to bring it to the Committee's attention.

The next item (60) was a discussion concerning the erosion problem on the south side of the Intracoastal in Larose. Mr. Phillip Gouaux stated that the parish was responsible for the banks. He said that the land was eroding very quickly on the south side of the Intracoastal in Larose because nothing was being done. He requested that the Administration look into the issue and come back to the Council with a possible

solution, maybe apply for a grant.

The next item (61) was a discussion/motion concerning the board application process. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to add on the board membership application “*have you or had you ever had litigation with Lafourche Parish, if so list case*” and **carried** by a vote of nine (9) yeas and zero (0) nays. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux to state on the board membership application “*that the applicant must be present at the Council meeting to be appointed to a board*” and **failed** by a vote of three (3) yeas, that being of Mr. Mark Atzenhoffer, Mr. Phillip Gouaux and Mr. Tyrone Williams and six (6) nays.

The next item (62) was a discussion concerning the request the District Attorney forwarded to the Bond Attorney’s regarding litigation with Lafourche Parish. A **motion** was offered by Mr. Phillip Gouaux and seconded by Mr. Mark Atzenhoffer that the District Attorney or the Council request that any service company providing services for Lafourche Parish should divulge any prior or present litigation with the parish, and **failed** by a vote of three (3) yeas, that being of Mr. Mark Atzenhoffer, Mr. Phillip Gouaux and Mr. Tyrone Williams and six (6) nays.

The next item (63) was a discussion concerning the traffic on East Fontinelle Street in Lockport. Mr. Phillip Gouaux stated that he had received calls from residents on East Fontinelle Street in Lockport requesting traffic signs be installed to indicate a school in session and to slow the traffic down. He then asked if it was possible to request that the Sheriff’s Office dispatch a deputy during school hours. A **motion** was offered by Mr. Phillip Gouaux, seconded by Mr. Michael Delatte, to contact the Sheriff’s Office and check the traffic situation on East Fontinelle Street in Lockport, and to install school zone signs, and **carried** by a vote of nine (9) yeas and zero (0) nays.

The next item (64) was a discussion concerning responsibility of parish boards and commissions to the Council in regards to fiscal policies. Mr. Mark Atzenhoffer referred to Section 2:304 in the Code of Ordinances pertaining to boards and commissions. He said that it stated that the boards and commissions are required to make reports to the Parish Council. Mr. Atzenhoffer stated that the Council Clerk Sheila Boudreaux would forward the information to all the boards to make them aware of their responsibilities. Mr. Atzenhoffer read the article.

MONTHLY ENGINEERING REPORTS

The next item (65) on the agenda was a presentation of planned, presently on going, recently completed or other projects by appropriate engineering firms engaged by the Parish. No one was present to speak.

LEGAL ADVISOR REPORT

The next item (66) on the agenda was a motion to relinquish time to the Lafourche Parish Legal Advisor. The Lafourche Parish Legal Advisor was not present to speak.

PUBLIC WISHING TO ADDRESS THE COUNCIL

The next item (67) on the agenda was anyone in the Public wishing to address the Council. Mr. Marshall Cox, Highway 1, Lockport, to address the Council concerning the parish cutting his neighbor’s fence and why his claim for payment of damages to his truck was denied. Mr. Cox was not present.

Ms. Cassandra Adams, acting President of the Lafourche Parish Chapter of the Humane Society, said that the organization was fully willing to support all humane treatment of animals throughout the parish and to work with the Council on the issues. She clarified that it was also pets, which humans have domesticated. Ms. Adams said that she was concerned with the construction and operation of the shelter. She said the animals were suffering and being put to sleep due to the slow progression of the project. Ms. Adams passed pictures around of animals that were housed in the Thibodaux shelter to show the conditions that they were kept. She went on to explain that there was no heat when it was cold and no cool air when it was hot. Ms.

Adams asked that the Council re-think in allowing the parish shelter to be placed in Thibodaux and ran/housed by city employees because of her opinions on their track record. She then asked about the land where the shelter was to be placed and that it should be centrally located. Then, she said that the shelter should be ran/maintained and supervised by employees of the parish. Ms. Adams handed out copies of recommendation guidelines for the operations of an animal shelter by the Humane Society of the United States. She said that she would also like to see a committee be formed to keep shelter conditions humane. Mr. Daniel Lorraine clarified that the shelter needed to be built in Thibodaux because 50% of the funds were coming from the Lorio Foundation which specified that the funds be spent in the City of Thibodaux. A detailed discussion ensued. Mr. Michael Matherne stated some realities of the situations that were being dealt with. He said that the bids were about \$100 thousand over the allotted amount. Mr. Matherne stated that the local Vo-tech was contacted to help with the cost of building the shelter and that other avenues were also being examined to have a nice facility built within budget. Again, detailed discussion ensued.

Mr. Donovan "Big Boy" Toups, questioned the resolution (item 41) that carried earlier in the meeting, as to what was meant and who was covered by "family members". Mr. Mark Atzenhoffer stated family members and spouses. A discussion ensued on the laws of the parish boards and what it stated.

Mr. John Beck urged the Council to reconsider the resolution (item 38) pertaining to the Belle Co. Landfill. He handed out a resolution that was unanimously adopted in opposition by Assumption Parish Police Jury against the Belle Co. Landfill. Mr. Beck stated that the Assumption Parish School Board had also voted unanimously against the Belle Co. Landfill. He stated that numerous State Representatives had also taken positions against the Belle Co. Landfill. Mr. Beck spoke of the landfill brochure and that he had factual evidence that it did not state the complete truth. He went over various details of the brochure. Mr. Beck read from some information that was written by the Environmental Protection Agency which stated that it was determined that all landfills (no matter how well engineered or maintained) would eventually fail and leak contaminated water into ground and service water. State of the art plastic landfill liners and plastic pipes allow chemicals and gases to pass through their membranes and to then become brittle, swell, and break down. He then said that according to the study, that even the best landfill liners can be expected to leak at the rate of 20 gallons per acre per day. His presentation continued on the many problems of landfills. Mr. Beck then mentioned an article from The Morning Advocate dated from Christmas Eve 1997 that stated "that fire fighters said that a fire validated the objections to landfills" and headlined that "Both the unpermitted dump site and fire remain under investigation by DEQ". He stated that he shared all the information as a public servant. Mr. Phillip Gouaux asked Mr. Beck what he thought was the solution on where to put the waste. Mr. Beck said that there was a waste site in Houma, one in Sorrento, and a new one in St. Charles Parish. He said that it was his understanding that the Assumption Parish people had no objection to having a landfill that would be of their own waste, but did not want to be a dumping ground. Mr. Beck gave numbers of 30.0 over 91.0 (location of documented, scientific proof from the United States Government Services of the largest earthquake in Louisiana was on October 19, 1930 which measured 4.2 in magnitude) and 30.1 over 90.58 (specific latitude and longitude of the proposed landfill). He stated that the garbage and where to dump it was a problem, no one wants it, everyone has to deal with it, he did not want anyone else's garbage and that was his passion. Mr. Beck said that he truly did not have an answer, but he did not want anyone else's issues. Mr. Cecil Watts made comments on New Jersey's laws.

A **motion** was made by Mr. Michael Matherne and seconded by Mr. Brent Callais *to adjourn* and *failed* by a vote of two (2) yeas and seven (7) nays.

Next, a **motion** was offered by Dr. Tommy Lasseigne, seconded by Mr. Daniel Lorraine, and *carried* by a vote of seven (7) yeas and two (2) nays, that being of Mr. Michael Matherne and Mr. Brent Callais, to *open* the **Two-Thirds Agenda**.

TWO-THIRDS AGENDA

PROCLAMATION

The first item (1) on the Two-Thirds agenda was a proclamation recognizing the work and dedication of Mrs. Sybill Ledet and the Harvest of Thanks volunteers for years of dedication assisting the needy of Lafourche Parish and Grand Isle through the Harvest of Thanks Annual Brunch. This item was *deferred*.

RESOLUTIONS

The next item (2) on the Two-Thirds agenda was a resolution ratifying a contract with Duplantis Engineering to engineer water line improvements in the Marydale area and the Parish President's authority to sign, execute and administer said contract and approving an Intergovernmental Agreement to cost share the cost of water line improvements with the Lafourche Parish Water District No. 1. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Tyrone Williams. Chairman Toups asked the Parish President how much money would it cost the parish. President Randolph stated that it was in the budget, it was to be cost shared with the Water District, and it would cost the parish approximately \$200,000. Mr. Michael Matherne called for a discussion on Two-Thirds agendas. He stated that it created problems with researching the issues because the information was given at the meetings. A brief discussion ensued. The motion *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-226 DUPLANTIS ENGINEERING, WATER LINE IMPROVEMENTS

The next item (3) on the Two-Thirds agenda was a resolution adopting an official parish logo for the Council and Government with artwork prepared by Grant Toups and authorizing the Parish President to begin the transition and application of this logo onto parish vehicles, stationary and other appropriate places. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Michael Delatte. Mr. Brent Callais asked if any of the Councilmen had been contacted for their input on the Parish Council's logo and of its design. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Brent Callais.

RES. NO. 04-227 ADOPTING AN OFFICIAL PARISH LOGO

The next item (4) on the Two-Thirds agenda was a resolution approving contracts for Home Inspector and Labor Contractor for the Weatherization Program for Community Action Agency; and authorizing the Parish President to all relevant documents. A **motion** was offered by Mr. Tyrone Williams, seconded by Mr. Phillip Gouaux, and *carried* by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-228 WEATHERIZATION PROGRAM, COMMUNITY ACTION AGENCY

The next item (5) on the Two-Thirds agenda was a resolution approving a contract(s) for services with Larry J. Picciola, Inc., to provide supervision and oversight of the parish's road construction projects with funding coming from road bonds being sold and/or from the appropriate Road Sales Tax Districts; also approving a contract(s) with Jerry M. Braud, a local Abstractor, to research land rights to determine public versus private streets; and authorizing the Parish President to sign, execute and administer said contract(s). A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Phillip Gouaux. Chairman Toups asked why was there just one engineer. President Randolph stated that it was just to supervise the project. Mr. Phillip Gouaux asked if the resolution would provide the parish with an updated parish wide road map. President Randolph said yes, it would and Ms. Jerry M. Braud would be that provider. A brief discussion ensued. The motion *carried* by a vote of eight (8) yeas and one (1) nay, that being of Mr. Lindel Toups.

RES. NO. 04-229 PARISH'S ROAD CONSTRUCTION PROJECTS' SUPERVISION

The next item (6) on the Two-Thirds agenda was a resolution approving the cancellation of the Morristown Sewerage Project due to the inability to secure land rights from certain land owners; and authorizing the Parish President to forward official notice of this decision to South Central Planning and Development, the Louisiana Office of Community Development and the U. S. Department of Housing and Urban Development; and authorizing the Parish President to reimburse the Federal Government all necessary expenses. This item was *pulled*.

The next item (7) on the Two-Thirds agenda was a resolution approving the Parish President's appointment of Mark Atzenhoffer as the Council's liaison to the Library Board of Control. A **motion** was offered by Mr. Michael Matherne and seconded by Mr. Michael Delatte. A brief discussion ensued. The motion **failed** by a vote of four (4) yeas: Mr. Tyrone Williams, Mr. Michael Delatte, Mr. Michael Matherne, and Mr. Brent Callais; four (4) nays: Dr. Tommy Lasseigne, Mr. Lindel Toups, Mr. Phillip Gouaux, and Mr. Daniel Lorraine; and one (1) abstained, that being of Mr. Mark Atzenhoffer.

RESOLUTION FAILED

The next item (8) on the Two-Thirds agenda was a resolution approving contract(s) to accept the lowest bid of \$146,707.58 from Grand Isle Shipyard, Inc. for the Delmar Farm bridge and replacement; and authorizing the Parish President to sign, execute and administer said contract(s). A **motion** was offered by Mr. Phillip Gouaux and seconded by Dr. Tommy Lasseigne. Mr. Phillip Gouaux stated that according to a contract that was written in 1956 the parish was obligated to provide a bridge across the 40 Arpent Canal. Mr. Ray Cheramie, Public Works Director, stated that the existing bridge was currently deplorable and the Delaunes had put dragline mats on top of the bridge to build across. He stated that the Department of Public Works would go across the bridge with two large (6 feet by 80 feet long) culverts to permanently replace the bridge. A brief discussion ensued. The motion **carried** by a vote of eight (8) yeas, zero (0) nays, and one (1) abstained, that being of Mr. Mark Atzenhoffer.

RES. NO. 04-230 DELMAR FARM BRIDGE AND REPLACEMENT

The next item (9) on the Two-Thirds agenda was a resolution approving contract(s) to accept the lowest bid of \$211,028.00 from Sealevel Construction, Inc. for the Clovelly Farms area to include a bridge and drainage improvements; and authorizing the Parish President to sign, execute and administer said contract(s). A **motion** was offered by Mr. Brent Callais, seconded by Mr. Daniel Lorraine, and **carried** by a vote of nine (9) yeas and zero (0) nays.

RES. NO. 04-231 SEALEVEL CONSTRUCTION, INC., CLOVELLY FARMS AREA

The next item (10) on the Two-Thirds agenda was a resolution approving a contract with Nextel to purchase "fiscal blackberry PDA's" and allowing for monthly internet and phone services; and authorizing the Parish President to sign, execute and administer said contract. A **motion** was offered by Mr. Mark Atzenhoffer and seconded by Mr. Brent Callais. A brief discussion ensued on the contracts and plans. The motion **carried** by a vote of eight (8) yeas and one (1) nay, that being Mr. Lindel Toups.

RES. NO. 04-232 NEXTEL, PURCHASING "FISCAL BLACKBERRY PDA'S"

PROPOSED ORDINANCES

The next item (11) on the Two-Thirds agenda was a proposed ordinance authorizing up to an additional \$2,000,000.00 in parish funding to supplement the construction of locks on Bayou Lafourche to be appropriated over a three (3) year period beginning in 2005. A **motion** was offered by Mr. Daniel Lorraine to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE CONSTRUCTION OF LOCKS ON BAYOU LAFOURCHE

The next item (12) on the Two-Thirds agenda was a proposed ordinance accepting ownership of whatever rights the Louisiana Department of Transportation and Development may own in and to the aforesaid portion of **Louisiana Highway 656 (known as Lake Long Drive)** as a binding agreement between the State of Louisiana and Parish of Lafourche provided the Department of Transportation and Development complies with the conditions described herein and authorizing the Parish President to execute the instruments to transfer the aforesaid property once the conditions of this agreement are met. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ACCEPTING OWNERSHIP, LOUISIANA HIGHWAY 656

The next item (13) on the Two-Thirds agenda was a proposed ordinance accepting ownership of whatever rights the Louisiana Department of Transportation and Development may own in and to the aforesaid portion of **Louisiana Highways (Highways 652, 653, 657, and 307)** as a binding agreement

between the State of Louisiana and Parish of Lafourche provided the Department of Transportation and Development complies with the conditions described herein and authorizing the Parish President to execute the instruments to transfer the aforesaid property once the conditions of this agreement are met. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE ACCEPTING OWNERSHIP, LOUISIANA HIGHWAYS
(HIGHWAYS 652, 653, 657, AND 307)**

The next item (14) on the Two-Thirds agenda was a proposed ordinance accepting ownership of whatever rights the Louisiana Department of Transportation and Development may own in and to the aforesaid portion of **Louisiana Highways (Highway 1)** as a binding agreement between the State of Louisiana and Parish of Lafourche provided the Department of Transportation and Development complies with the conditions described herein and authorizing the Parish President to execute the instruments to transfer the aforesaid property once the conditions of this agreement are met. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

PROPOSED ORDINANCE ACCEPTING OWNERSHIP, LOUISIANA HIGHWAY 1

The next item (15) on the Two-Thirds agenda was a proposed ordinance authorizing the transfer of property belonging to the Lafourche Parish Council Head Start Program to the Terrebonne Parish Consolidated Government Head Start Program due to the separation of Lafourche and Terrebonne Head Start. A **motion** was offered by Mr. Tyrone Williams to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE TRANSFER OF PROPERTY DUE TO THE SEPARATION OF
LAFOURCHE AND TERREBONNE HEAD START**

The next item (16) on the Two-Thirds agenda was a proposed ordinance providing for a supplemental appropriation for the 2004 Maintenance and Operations Budget for the Lafourche Parish Council as provided for by Article V of the Lafourche Parish Home Rule Charter. A **motion** was offered by Mr. Mark Atzenhoffer to introduce the above stated proposed ordinance.

**PROPOSED ORDINANCE SUPPLEMENTAL APPROPRIATION FOR THE 2004
MAINTENANCE AND OPERATIONS BUDGET**

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

ADJOURNMENT

On **motion** by Mr. Michael Matherne, seconded by Mr. Brent Callais, and with no further business, the Lafourche Parish Council Meeting of December 14, 2004 **adjourned** at 11:18 p.m.

**LINDEL TOUPS, CHAIRMAN
LAFOURCHE PARISH COUNCIL**

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