OFFICIAL PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN REGULAR SESSION
APRIL 28, 2004

The Chairman, Mr. C. Voisin, called the meeting to order at 6:04 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, led by Councilman Harold Lapeyre, Council Minute Clerk Venita Whitney led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C. Duplantis, H. Lapeyre, and C. Voisin. A quorum was declared present.

Ms. C. Duplantis moved, seconded by Mr. H. Lapeyre, “THAT, the Council approve the minutes of the Regular Council Session held on 3/24/04.”

The Chairman called for a vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Ms. K. Elfert, “THAT, the Council approve the Parish Bill List dated 4/26/04.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, K. Elfert, T. Cavalier, C. Duplantis, H. Lapeyre, and C. Voisin

NAYS: None

ABSTAINING: W. Thibodeaux

ABSENT: None

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Ms. K. Elfert, “THAT, the Council approve the Parish Manual Check List for January & February 2004.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

WHEREAS, providing proper drainage to the residents and property owners of Terrebonne Parish is one of the most important responsibilities of the Terrebonne Parish Consolidated Government, and

WHEREAS, informing the general public of the condition and location of drainage levees is an important tool in making the general public more aware of the importance of the levee system to the overall drainage protection of local residences, and

WHEREAS, as a community service, on April 15, 2004, Radio Station 100.3, The Rajun Cajun, broadcast a program, hosted by Jerry “Truck” Gisclair, which featured an on-site narrative tour of the levee system in the southern portion of Terrebonne Parish, and

WHEREAS, this program, due largely to the outstanding commentary by “Truck”, did much to inform and educate the general public of the importance of the drainage levees, and

WHEREAS, the Parish Council is most pleased that The Rajun Cajun Radio Station allowed a most impressive and informative broadcast to be aired, which certainly performed an invaluable community service.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Radio Station 100.3, The Rajun Cajun and Radio Personality Jerry “Truck” Gisclair be commended for their outstanding broadcast of a narrative tour of the drainage levee system in the Southern portion of Terrebonne Parish.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

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The Chairman recognized Mr. Brennan Matherne, Co-Host of “Talk on the Bayou”, who thanked the Council and Parish President for the commendation and stated they recently aired a Marsh Madness that reached all the way to Washington, D.C., regarding Lafourche Parish. Mr. Matherne stated a Terrebonne edition of Marsh Madness would air May 14, in an effort to raise awareness.

OFFERED BY: Mr. W. Thibodeaux.
SECONDED: Unanimously.
WHEREAS, the Terrebonne Parish Summer Camp Program has grown tremendously in popularity over the last few years, and

WHEREAS, this program has performed an invaluable service to the many families who sought wholesome, entertaining and informative methods filling the spare time of their children during the summer months, and

WHEREAS, since the 2004 Summer Camp Program is being handled by the Terrebonne Parish Consolidated Government, there was some concern as to which entity would provide the meals for the participants, and

WHEREAS, the Diocese of New Orleans, through the splendid efforts of its Director, Ms. Pat Farvis, and the Assistant Director, Ms. Pat Adams, has agreed to provide meals to the estimated 750 children at seven sites for the 2004 Summer Camp Program, and

WHEREAS, the Terrebonne Parish Council is most pleased that these two individuals have encouraged and allowed the Diocese of New Orleans to prepare the all important, nutritious meals for the summer camp participants.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Ms. Pat Farvis, Director and Ms. Pat Adams, Assistant Director of the Diocese of New Orleans be commended for their assistance in providing meals to the many participants of the 2004 Summer Camp Program in Terrebonne Parish.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

OFFERED BY:  Mr. P. Rhodes.
SECONDED:  Unanimously.

RESOLUTION NO. 04-143

WHEREAS, for over half a century, the Terrebonne Sportsman’s League, Inc. has promoted the sport of fishing as a healthy manner in which to enjoy leisure time and to promote the beauty and bounty of Terrebonne Parish’s waterways, and

WHEREAS, for the past few years, the Sportsman League has sponsored the Youth Fishing Rodeo Day, in an effort to encourage young people to acquire a taste for the magnificent and exciting sport of fishing, and

WHEREAS, due to the fine work of the organizers of this event, the number of young people competing in the rodeo has continued to grow with many of the participants developing and maintaining a keen interest in this wholesome sport, and

WHEREAS, the involvement of young people in the sport of fishing not only provides young people with another avenue of enjoying spare time, but also assures that there will always be dedicated and devoted recreational fishing enthusiasts in Terrebonne Parish.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of
the Parish President and the entire Terrebonne Parish Consolidated Government, that May 1, 2004 be hereby proclaimed YOUTH FISHING RODEO DAY IN HOUMA-TERREBONNE and that the Terrebonne Sportsman’s League, Inc. be congratulated for hosting such a fantastic event.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

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The Chairman recognized Mr. Troy Bonvillain, President of the Terrebonne Sportsman’s League and other members present, who thanked the Council and Parish President for the proclamation and encouraged participation.

OFFERED BY:  Ms. T. Cavalier.
SECONDED:  Unanimously.

RESOLUTION NO. 04-144

WHEREAS, the Terrebonne Parish Students of the Year are chosen from among all of the students in Terrebonne Parish from the elementary, middle and high school levels, and

WHEREAS, the student chosen in each category displayed some special skill, talent and/or personality trait which exhibits a unique characteristic above and beyond his or her peers, and

WHEREAS, Miss Megan Walker, a straight “A” fifth grader from Lacache Middle School, was selected as Elementary Student of the Year, and

WHEREAS, Miss Walker enjoys a wide range of activities that run the gamut from hunting to fishing to delivering food to those less fortunate and, of course, to her love of scholastic accomplishments, and

WHEREAS, Miss Walker plans to continue to enjoy her love of the outdoors and pursue a career in Marine Biology.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Miss Megan Walker be congratulated for being selected as Terrebonne Parish Elementary School Student of the Year and that she be wished the best in all of her future endeavors.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

* * * * * * * *
RESOLUTION NO. 04-145

WHEREAS, the Terrebonne Parish Students of the Year are chosen from among all of the students in Terrebonne Parish from the elementary, middle and high school levels, and

WHEREAS, the student chosen in each category displayed some special skill, talent and/or personality trait which exhibits a unique characteristic above and beyond his or her peers, and

WHEREAS, Miss Elizabeth Turner, an eighth grader from Lacache Middle School, was selected as Middle School Student of the Year, and

WHEREAS, Miss Turner is an avid reader, a trait that she attributes to her parents who read frequently to all of their children, and

WHEREAS, aside from her love of music, Miss Turner is an animal lover and is passionate in her desire to ask questions, to quiz authority figures and to learn more.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Miss Elizabeth Turner be congratulated for being selected as Terrebonne Parish Middle School Student of the Year and that she be wished the best in all of her future endeavors.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

RESOLUTION NO. 04-146

WHEREAS, the Terrebonne Parish Students of the Year are chosen from among all of the students in Terrebonne Parish from the elementary, middle and high school levels, and

WHEREAS, the student chosen in each category displayed some special skill, talent and/or personality trait which exhibits a unique characteristic above and beyond his or her peers, and

WHEREAS, Miss Callie Gautreaux, a straight “A” senior at Terrebonne High School, was selected as High Student of the Year, and

WHEREAS, Miss Gautreaux is a remarkable young woman who was recently put in the temporary position of head of household, which allowed her to sharpen her independence skills, and

WHEREAS, Miss Gautreaux has maintained a perfect 4.0 point grade average throughout her academic life, yet still managed time to tutor students at two local elementary schools, perform in the school band, dance in the Tigerettes drill team and serve as captain of the Homecoming Olympics Team, and
WHEREAS, this young lady plans to combine her love of young children and her academic achievements and pursue a degree that will lead to medical school and, eventually to practice as a pediatric surgeon.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Miss Callie Gautreaux be congratulated for being selected as Terrebonne Parish High School Student of the Year and that she be wished the best in all of her future endeavors.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

The Chairman recognized Miss Megan Walker, Miss Callie Gautreaux, and Miss Elizabeth Turner, who thanked the Council and Parish President for the commendations.

Councilwoman T. Cavalier acknowledged that LaCache Middle School Principal Anita Landry was present and two of the students were chosen from that school.

The Chairman recognized ISG Clifford Ockman and SFC Sonny Gilmore of the Company C, 2nd Battalion 156 Infantry (local National Guard), who thanked the community and citizens for tremendous support for their upcoming deployment in May. ISG Ockman requested that a street light be installed in front of the National Guard Armory on Williams Avenue to allow the American Flag to be flown 24-hours a day. ISG Ockman also requested light(s) to be installed on their motor pool. SFC Gilmore encouraged the community to support the families that are being left behind while the soldiers are away. SFC Gilmore stated he would provide the Council with details of the deployment ceremony and things of that nature.

Council Clerk P. Labat stated that he was informed that there will be an ecumenical prayer service on May 6 at the Harvest Cathedral on Museum Drive to honor the National Guard Troops being deployed. Mr. Labat stated that when he finds out the time he will make that known.

Ms. K. Elfert moved, seconded by Mr. P. Lambert, “THAT, it now being 6:30 p.m., the Council open public hearings.”

The Chairman called for a vote on the motion offered by Ms. K. Elfert.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

A. A proposed ordinance to adopt the Parishwide Master Plan as prepared by T. Baker Smith & Son, Inc.
Councilwoman C. Duplantis read aloud a written letter from Mr. Jarrett Maynard, Wright Street resident, expressing his opposition to the proposed Parishwide Master Plan.

Chairman C. Voisin read aloud amendments made to the proposed ordinance, which changed the word “adopted” to “accepted” regarding the proposed Master Plan.

Upon questioning by Chairman C. Voisin, Parish Attorney R. Breaux stated that as he had indicated to Chairman Voisin earlier in the day, he did not feel the change is substantial.

The Chairman recognized the following individuals from the public who expressed their support/opposition to the proposed Parishwide Master Plan, as presented:

**SUPPORT**
- Mr. Denison LaBauve, Bayou Blue Rd.
- Mr. Norris Naquin, Bayou Blue Rd.
- Mr. Doug Authement, Bayou Blue Rd.
- Ms. Burney Martin, Planning Commission
- Mr. Alex Ostheimer, Planning Commission

**OPPOSITION**
- Mr. Bob Butler, local attorney
- Mr. Cyrus Theriot, Louise St.
- Ms. Judith Gibson, El Paso Dr.
- Mr. Roy LeBouef, Jr., Tyler Christian Dr.

Several of the aforementioned individuals requested that the public be allowed to vote on some of the issues contained in the proposed Parishwide Master Plan.

Upon questioning by Mr. Roy LeBouef, Chairman C. Voisin stated that he was correct that the proposed Parishwide Master is a tool and/or guide to be used and it would not create any new laws, regulations, or policies, if accepted tonight.

Upon questioning by Chairman C. Voisin, Parish Attorney R. Breaux stated he has done some research and it appears that in order to put the recommendations of the proposed Parishwide Master Plan to the vote of the public, it would have to be authorized by the Parish’s Home Rule Charter, and is not contained in it. Mr. Breaux stated that therefore he would have concerns about the technicality of whether the question could be submitted to the public for a vote.

The Chairman continued to recognize individuals from the public who expressed their support/opposition to the proposed Parishwide Master Plan, as presented:

**SUPPORT**
- Ms. Valarae Bates, Planning Commission (Chair)

**OPPOSITION**
- Mr. Logan Boudreaux, Jr., West Main St.

The Chairman recognized Ms. Ann Dupont Boudreaux, Chacahoula, who suggested that if the Home Rule Charter has to be amended, a provision should be added to allow the voters of the Parish to vote on items such as the contents of the Parishwide Master Plan.

Upon questioning by Mr. Roy LeBouef, a discussion ensued relative to whether the voters of the Parish would have the opportunity to vote on some of its contents, such as zoning and/or building codes, if the Master Plan is accepted.

There were no further comments from the public on the proposed ordinance.

Mr. P. Rhodes moved, seconded by Mr. H. Lapeyre, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None
The Chairman declared the motion adopted.

A lengthy discussion ensued relative to whether, if the Parishwide Master Plan is accepted tonight, the voters of the Parish would have the opportunity to vote on some of its contents, such as zoning and/or building codes.

OFFERED BY: Mr. W. Thibodeaux.
SECONDED BY: Mr. H. Lapeyre & Ms. K. Elfert.

ORDINANCE NO. 6857
AN ORDINANCE TO ACCEPT THE PRESENTED REPORT ON THE PARISHWIDE MASTER PLAN AS PREPARED BY THE MASTER PLAN TEAM.

SECTION I
WHEREAS, the Terrebonne Parish Consolidated Government saw the need to prepare goals and guidelines for the development of Terrebonne Parish and retained the services of a consultant to prepare a Parishwide Master Plan for Terrebonne Parish, and

WHEREAS, the consultant sought the input of the general public and held numerous public meetings to gather data, to discuss needed public services and facilities, and to evaluate the goals and objectives submitted by the citizens of Terrebonne Parish, and

WHEREAS, the completed Master Plan was reviewed by the Houma-Terrebonne Regional Planning Commission and brought to the Parish Council for a series of additional public hearings, and

WHEREAS, the Master Plan is a guideline for Parish officials to evaluate and to consider the implementation of certain recommendations contained in the plan.

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the report on the Parishwide Master Plan Project, as presented by the Master Plan Team, be hereby accepted, and that the Parish Administration be directed to present to the Council a plan of action for the possible implementation of the recommendations contained in the Master Plan and that said acceptance be contingent upon the Parish Legal Department’s opinion revealing that the Council does have the legal right to put propositions before the voters on issues such as parishwide zoning and parishwide building regulations.

SECTION II
If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III
This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

NAYS: P. Lambert, T. Cavalier & C. Duplantis.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

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Upon questioning by Councilwoman C. Duplantis, Parish Attorney R. Breaux stated that he requires additional time to determine if the voters may decide on issues, such as Parishwide Zoning and/or Parishwide Building Codes and that it is his recommendation to know the answer as to whether the public would be allowed to vote on the Parishwide Master Plan, prior to accepting it.

Ms. C. Duplantis offered a substitute motion, seconded by Ms. T. Cavalier, “THAT, the Council defer action on the proposed Parishwide Master Plan until clarification is received from the Legal Department regarding presenting aspects of the plan, such as zoning and/or building codes to a vote of the public.”

The Chairman called for a vote on the substitute motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, T. Cavalier, and C. Duplantis

NAYS: P. Rhodes, A. Tillman, W. Thibodeaux, K. Elfert, H. Lapeyre, and C. Voisin

ABSTAINING: None

ABSENT: None

The Chairman declared the motion failed.

Chairman C. Voisin stated that a three-minute recess would be taken at this time.

The Council convened back into Regular Session.

The Chairman recognized the public for comments on the following:

B. A proposed ordinance that will amend the 2004 Budget to provide funds for a proposed action plan for enforcement and renewal of cable television franchises

There were no comments from the public on the proposed ordinance.

Mr. H. Lapeyre moved, seconded by Mr. P. Rhodes and Ms. K. Elfert, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.
OFFERED BY: Mr. P. Rhodes.
SECONDED BY: Mr. H. Lapeyre.

ORDINANCE NO. 6858

AN ORDINANCE TO AMEND THE 2004 ADOPTED BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT SO AS TO PROVIDE FUNDS FOR A PROPOSED ACTION PLAN FOR ENFORCEMENT AND RENEWAL OF CABLE TELEVISION FRANCHISES.

SECTION I

WHEREAS, it is in the best interest of this government to study cable television franchise renewal and enforcement issues, and

WHEREAS, this issue is directly related to the retention of a substantial General Fund revenue source, Cable TV Franchise, which had collections in 2003 in excess of $800,000, and

WHEREA, the Cable TV Franchise revenue for 2003 was $41,349 in excess of the $775,000 2003 Budget, and

WHEREAS, the study would include meetings with TPCG staff and elected officials to discuss cable and communication needs and desires of TPCG and community, and

WHEREAS, some of the items of discussion for these meetings are franchise fees, needs/desires for consistent service for all residents of the parish, pass through costs to consumers associated with equipment or services provided to TPCG, construction and rights-of-way regulations, and enforcement criteria, and

WHEREAS, also included in this study is the preparation of draft franchise agreements and review negotiated franchises with administration and elected officials, and

WHEREAS, the study is estimated to cost between $15,000 to $20,000.

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2004 Adopted Budget of the Terrebonne Parish Consolidated Government be amended as follows:

FUND 151 – GENERAL FUND

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<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>151-119-8342-03</td>
<td>Cable Regulations</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>151-000-5111-00</td>
<td>Fund Balance (Decrease)</td>
<td>&lt;$20,000.00&gt;</td>
</tr>
</tbody>
</table>

SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

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The Chairman recognized the public for comments on the following:

C. A proposed ordinance that will declare certain items from various departments as surplus property and provide for the disposal of same

There were no comments from the public on the proposed ordinance.

Mr. H. Lapeyre moved, seconded by Ms. K. Elfert, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Rhodes.
SECONDED BY: Ms. K. Elfert.

ORDINANCE NO. 6859

An ordinance to declare certain items from PUBLIC WORKS – TRANSIT, PUBLIC WORKS – VEGETATION, TERREBONNE PARISH HEALTH UNIT, AND TERREBONNE PARISH SALES & USE TAX as surplus as described in the attached Exhibit “A” and authorizing said items to be disposed or by public bid, negotiated sale, junked or by any other legally approved method.

SECTION I

NOW, THEREFORE BE IT ORDAINED, that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby declare the attached Exhibit “A” surplus and authorizes the Parish President to dispose of said items by public bid, negotiated sale, junked or by any other legally approved method.

SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III
This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

The Chairman recognized the public for comments on the following:

D. A proposed ordinance that will authorize the acquisition of homes and land at various locations in the Parish, as recommended by Aegis Innovative Solutions, Inc. under the provisions of a FEMA Grant Program for Repetitive Loss

There were no comments from the public on the proposed ordinance.

Mr. H. Lapeyre moved, seconded by Ms. K. Elfert, “THAT, the Council close the aforementioned public hearing.” *(MOTION VOTED ON AFTER DISCUSSION.)

Upon questioning by Councilman P. Rhodes, the Chairman recognized Mr. Jeff Heaton – Managing Director of AEGIS Innovative Solutions, LLC, who explained that the term “abandoned” was used to indicate that the structure was empty at the time of demolition.

Upon further questioning by Councilman A. Tillman, Mr. Jeff Heaton stated that normally the process is to work with the homeowner to come up with a convenient closing date on the acquisition and once the property is closed, for the sake of the Parish’s liability, the former owner needs to be out of the structure.

Councilman A. Tillman expressed his concerns for not giving the owner of a certain structure enough notice to remove all their belongings before that structure is taken over by the Parish. Mr. Tillman suggested that since the closing is scheduled for tomorrow, the Parish work out something that will give the former owners permission to go on the premises to get their belongings.

A discussion ensued relative to the process when acquisition of homes and land in the Parish, as recommended by Aegis Innovative Solutions, takes place

Upon questioning by Councilman A. Tillman, Parish Attorney R. Breaux stated that the Parish does not currently have anything set to protect for liability purposes for previous owners to go on property that has been acquired by the Parish and perhaps the law could be changed.

Councilman A. Tillman suggested that the previous owners be requested to sign a waiver to allow them to get their personal belongings out of the structure.

*The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Rhodes.  
SECONDED BY: Ms. K. Elfert & Mr. H. Lapeyre.

ORDINANCE NO. 6860

AN ORDINANCE TO AUTHORIZE ACQUISITION OF HOME AND LAND AS RECOMMENDED BY AEGIS INNOVATIVE SOLUTIONS, LLC, UNDER THE PROVISIONS AND CONDITIONS OF FEMA GRANT, ACQUISITION/ELEVATION PROJECT #1437-109-0001, THROUGH THE STATE OF LOUISIANA, MILITARY DEPARTMENT, OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS IN TERREBONNE PARISH; TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE THE PROPERTIES; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

WHEREAS, on behalf of the Terrebonne Parish Consolidated Government, Aegis Innovative Solutions, LLC has offered the homeowner the buyout provision through a “Voluntary Transaction Agreement” executed between the homeowner and the parish contingent on Council approval for the following properties:

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<thead>
<tr>
<th>Address</th>
<th>110 Evest Street, Dulac, LA 70353</th>
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<tbody>
<tr>
<td>Appraised Value</td>
<td>$69,800.00</td>
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<tr>
<td>Offer Amount</td>
<td>$48,199.00</td>
</tr>
<tr>
<td>Legal Description</td>
<td>A certain lot of ground situated on the left descending Bank of Bayou Grand Caillou, But not fronting thereon and being located in Section 85 T19s R17e measuring a front of 60’ On the Southern side of Lois Street by a depth between equal and parallel line of 60’. Said lot bounded on the North by Louis Street, on the East and South by Property of Vendor and on the West by A 20 X 60 Ft. Lot which adjoins Lot 5 Block 1 Evest Voisin S/d as show on a map dated June 21, 1949 and recorded in Cb 168/649. Also Lot in rear measuring 60’ on the Northern Line by a depth of 20’. Lot 10’X 80’ Located East of and adjacent to above described lot.</td>
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<table>
<thead>
<tr>
<th>Address</th>
<th>112 Kennedy Drive, Montegut, LA 70377</th>
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<tbody>
<tr>
<td>Appraised Value</td>
<td>$93,900.00</td>
</tr>
<tr>
<td>Offer Amount</td>
<td>$62,516.95</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Lots 7, 8, &amp; 9 Block 2 Montegut Heights.</td>
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<tr>
<th>Address</th>
<th>6569 Grand Caillou Road, Dulac, LA</th>
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<tr>
<td>Appraised Value</td>
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<tr>
<td>Offer Amount</td>
<td>$172,252.00</td>
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<th>Address</th>
<th>7368 Shrimpers Row, Dulac, LA 70353</th>
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<tr>
<td>Offer Amount</td>
<td>$49,216.32</td>
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</table>
SECTION II

BE IT FURTHER ORDAINED by the Terrebonne Parish Council, in regular session convened that the Parish Administration is hereby authorized to acquire the properties; that the Parish President, Mr. Donald P. Schwab, Sr., is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to execute any and all necessary documents;

SECTION III

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION VI

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

* * * * * * * * *

The Chairman recognized the public for comments on the following:

E. A proposed ordinance that will amend the Parish Budgets to provide additional funds needed for District 5 projects.

There were no comments from the public on the proposed ordinance.

Ms. C. Duplantis moved, seconded by Mr. H. Lapeyre, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted.
Ms. C. Duplantis moved, seconded by Mr. H. Lapeyre, “THAT, the Council not take any action on the proposed ordinance that will amend the 2004 Adopted Budget and 5-Year Capital Outlay of TPCG to provide for additional funding needed for District #5 Projects.”

The Chairman called for a vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS:  P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C. Duplantis, H. Lapeyre, and C. Voisin,

NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

F. A proposed ordinance that will amend the Parish Budgets to provide funds for a new street through Ernest C. Memorial Park

There were no comments from the public on the proposed ordinance.

Mr. H. Lapeyre moved, seconded by Mr. W. Thibodeaux, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted.

OFFERED BY:  Mr. W. Thibodeaux.
SECONDED BY:  Mr. A. Tillman & Mr. P. Rhodes.

ORDINANCE NO. 6861

AN ORDINANCE TO AMEND THE 2004 ADOPTED BUDGET AND 5-YEAR CAPITAL OUTLAY OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT SO AS TO PROVIDE FOR FUNDING NEEDED FOR A STREET THROUGH ERNEST C. MOSS MEMORIAL PARK.

SECTION I

WHEREAS, Council District No. 2 is in need of a street to be constructed through Ernest C. Moss Memorial Park from Scott Lane to Brooklyn Street, and

WHEREAS, the new street would be 125’ long and 27’ wide with curbs, estimated to cost $27,000.00, and
WHEREAS, the funding is to be transferred from the Schriever Recreation Center Air Conditioner Project.

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2004 Adopted Budget and 5-Year Capital Outlay of the Terrebonne Parish Consolidated Government be amended as follows:

FUND 659 – CAPITAL PROJECTS CONTROL FUND

<table>
<thead>
<tr>
<th>PROJECT DESCRIPTION</th>
<th>YEAR OF FUNDING</th>
<th>AMOUNT OF FUNDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ernest C. Moss Memorial Park St.</td>
<td>2004</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>Schriever Recreation Center A/C</td>
<td>Prior Years</td>
<td>$50,000.00</td>
</tr>
</tbody>
</table>

SECTION II

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

* * * * * * *
The Chairman recognized the public for comments on the following:

G. A proposed ordinance that will amend the 2004 Budget to recognize changes in expenditures for the Morganza to the Gulf Hurricane Protection Project, and to provide for other matters relative thereto

There were no comments from the public on the proposed ordinance.

Mr. P. Rhodes moved, seconded by Mr. H. Lapeyre, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

OFFERED BY: Mr. H. Lapeyre.
SECONDED BY: Mr. P. Rhodes & Mr. P. Lambert.

ORDINANCE NO. 6862


SECTION I

WHEREAS, the Terrebonne Levee and Conservation District has submitted to the Council for adoption their 2004-2005 Five Year Capital Outlay Budget for the Morganza to the Gulf Hurricane Protection Project, and

WHEREAS, the Parish budgeted $3.674 million of approved projects to be funded by the ¼% Sales Tax dedicated to the Morganza to the Gulf Hurricane Protection Project, for the Budget year 2004-2005, and

WHEREAS, the Terrebonne Levee and Conservation District (TLCD) has submitted to the Terrebonne Parish Consolidated Government a proposed budget for their fiscal year 2004-2005, Morganza to the Gulf Hurricane Protection Project (Morganza), and

WHEREAS, the five-year capital outlay includes, for each project, a description, an allocation for each year, and total funding required, and

WHEREAS, on December 3, 2003, the Terrebonne Parish Council adopted the Morganza Five Year Capital Outlay Budget for the fiscal year 2003-2004, and

WHEREAS, an intergovernmental agreement entered into between the Terrebonne Parish Consolidated Government and the TLCD requires annual approval of the budget by the Terrebonne Parish Council, and

WHEREAS, the following changes are proposed by TLCD for adoption by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government:
*New Projects and Changes:*

**Lower Pointe aux Chenes Hurricane Levee Segment I – Reach J**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>300,000</td>
<td>132,723</td>
<td>&lt;167,277&gt;</td>
</tr>
<tr>
<td>03-04</td>
<td>1,335,000</td>
<td>230,809</td>
<td>&lt;1,104,191&gt;</td>
</tr>
<tr>
<td>04-05</td>
<td>2,365,000</td>
<td>1,533,511</td>
<td>&lt;831,489&gt;</td>
</tr>
<tr>
<td>05-06</td>
<td>2,104,615</td>
<td>2,104,615</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>4,000,000</td>
<td>4,011,658</td>
<td>1,658</td>
</tr>
</tbody>
</table>

This project consists of a 2.7-mile levee segment, connecting to existing TPCG Drainage Levees in the Pointe aux Chenes area. It will initially be constructed to a +8 foot elevation providing interim protection to the communities of lower Terrebonne. This project is in the design phase and scheduled for construction in July 2004.

**Lower Pointe aux Chenes Hurricane Levee Segment II – Reach J**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>133,042</td>
<td>133,042</td>
<td>0</td>
</tr>
<tr>
<td>03-04</td>
<td>268,344</td>
<td>268,344</td>
<td>0</td>
</tr>
<tr>
<td>04-05</td>
<td>1,019,515</td>
<td>1,019,515</td>
<td>0</td>
</tr>
<tr>
<td>05-06</td>
<td>3,212,928</td>
<td>3,212,928</td>
<td>0</td>
</tr>
<tr>
<td>06-07</td>
<td>2,286,121</td>
<td>2,286,121</td>
<td>0</td>
</tr>
<tr>
<td>07-08</td>
<td>6,919,950</td>
<td>6,919,950</td>
<td>0</td>
</tr>
</tbody>
</table>

This project consists of a 5.5-mile levee section, connecting to the floodgate on Humble Canal to the Point Farm crossover levee. This levee, as part of the Morganza to the Gulf Hurricane protection System, provides protection to the communities of Montegut and lower Terrebonne. This project is in the design phase and scheduled for construction in January 2006.

**Bayou Pointe aux Chenes Floodgate**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>300,000</td>
<td>82,251</td>
<td>&lt;217,749&gt;</td>
</tr>
<tr>
<td>03-04</td>
<td>800,000</td>
<td>523,142</td>
<td>&lt;276,858&gt;</td>
</tr>
<tr>
<td>04-05</td>
<td>2,900,000</td>
<td>1,027,915</td>
<td>&lt;1,872,085&gt;</td>
</tr>
<tr>
<td>05-06</td>
<td>4,026,769</td>
<td>4,026,769</td>
<td>0</td>
</tr>
<tr>
<td>06-07</td>
<td>3,345,316</td>
<td>3,346,316</td>
<td>5,393</td>
</tr>
<tr>
<td>07-08</td>
<td>9,005,393</td>
<td>9,005,393</td>
<td>0</td>
</tr>
</tbody>
</table>

This project is a 56’ sector gate and other associated improvements near the intersection of Bayou Pointe aux Chenes and the Cut Off Canal in the community of lower Pointe aux Chenes. Construction of this structure will provide a closed system of interim protection to the lower Pointe aux Chenes area. Preliminary work (field investigations and design) will occur in 2004, with construction expected in 2005.

**Bush Canal Water Control Structure**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>300,000</td>
<td>800,000</td>
<td>&lt;500,000&gt;</td>
</tr>
<tr>
<td>03-04</td>
<td>800,000</td>
<td>5,000,000</td>
<td>&lt;5,000,000&gt;</td>
</tr>
<tr>
<td>04-05</td>
<td>5,000,000</td>
<td>5,000,000</td>
<td>0</td>
</tr>
</tbody>
</table>
This project is a 56’ sector gate and other associated improvements near the intersection of Bayou Little Caillou and Bush Canal in the community of Chauvin. Preliminary work (field investigation and design) will occur in 2003, with construction expected in 2004.

Reach H (2.8 Miles)

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>03-04</td>
<td>123,679</td>
<td>123,679</td>
<td></td>
</tr>
<tr>
<td>04-05</td>
<td>273,620</td>
<td>273,620</td>
<td></td>
</tr>
<tr>
<td>05-06</td>
<td>2,473,165</td>
<td>2,473,165</td>
<td></td>
</tr>
<tr>
<td>06-07</td>
<td>1,149,231</td>
<td>1,149,231</td>
<td></td>
</tr>
<tr>
<td>07-08</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4,019,695</td>
<td>4,019,695</td>
<td></td>
</tr>
</tbody>
</table>

This project consists of a 2.8 mile levee segment below Bush Canal in the Chauvin area. It will initially be constructed to a +8 foot elevation providing interim protection to the community of Chauvin and the Lake Boudreaux area. This project is in the design phase and scheduled for construction in 2005.

System Wide Relocations

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>03-04</td>
<td>133,079</td>
<td>133,079</td>
<td></td>
</tr>
<tr>
<td>04-05</td>
<td>2,079,848</td>
<td>2,079,848</td>
<td></td>
</tr>
<tr>
<td>05-06</td>
<td>1,663,499</td>
<td>1,663,499</td>
<td></td>
</tr>
<tr>
<td>06-07</td>
<td>623,574</td>
<td>623,574</td>
<td></td>
</tr>
<tr>
<td>07-08</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4,500,000</td>
<td>4,500,000</td>
<td></td>
</tr>
</tbody>
</table>

The TLCD is responsible for relocating building structures and other improvements affected by the Morganza to the Gulf System. This act will include identifying affected improvements, determining compensability of the interests and negotiating relocations of features with the owners.

**Non-Capital Projects:

Morganza Project Management

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>03-04</td>
<td>100,000</td>
<td></td>
<td>&lt;100,000&gt;</td>
</tr>
<tr>
<td>04-05</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td>05-06</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td>06-07</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td>07-08</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td></td>
<td>1,100,000</td>
<td>1,000,000</td>
<td>&lt;100,000&gt;</td>
</tr>
</tbody>
</table>

The Louisiana DOTD and the U.S. Army Corps of Engineers have recommended the TLCD hire a project manager for the Morganza to the Gulf project. As the local sponsor the TLCD is required to provide LERRD’s (Lands, Easements, Rights-of-way, Relocations and Disposals) for this project to proceed. In addition, the TLCD will provide a portion of its local cost share.
responsibility by constructing a portion of the project. These immense tasks are beyond the current capability of the TLCD, and will necessitate the hiring of Project Management to ensure compliance with all U.S. Army Corps of Engineers requirements.

System Wide Right-of-Way/Right of Entry

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>300,000</td>
<td>&lt;300,000&gt;</td>
<td></td>
</tr>
<tr>
<td>03-04</td>
<td>500,000</td>
<td>70,504</td>
<td>&lt;429,496&gt;</td>
</tr>
<tr>
<td>04-05</td>
<td>500,000</td>
<td>530,526</td>
<td>30,526</td>
</tr>
<tr>
<td>05-06</td>
<td>500,000</td>
<td>148,970</td>
<td>&lt;351,030&gt;</td>
</tr>
<tr>
<td>06-07</td>
<td>500,000</td>
<td>&lt;500,000&gt;</td>
<td></td>
</tr>
<tr>
<td>07-08</td>
<td>500,000</td>
<td>&lt;500,000&gt;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2,800,000</td>
<td>750,000</td>
<td>&lt;2,050,000&gt;</td>
</tr>
</tbody>
</table>

The TLCD must provide all rights-of-way and rights of entry for the project. This effort will include identifying affected landowners and negotiating the necessary land rights for project design and construction.

System Wide Geotechnical Investigations

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>300,000</td>
<td>&lt;300,000&gt;</td>
<td></td>
</tr>
<tr>
<td>03-04</td>
<td>145,000</td>
<td>145,000</td>
<td>0</td>
</tr>
<tr>
<td>04-05</td>
<td>40,000</td>
<td>40,000</td>
<td>0</td>
</tr>
<tr>
<td>05-06</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>06-07</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>07-08</td>
<td>300,000</td>
<td>185,000</td>
<td>&lt;115,000&gt;</td>
</tr>
</tbody>
</table>

The TLCD will begin a geotechnical investigation program to support design of various project features. This effort will involve soil borings along the project alignment.

***Cash Contributions:

Cash Reimbursement – Corps of Engineers

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Adopted 03-04</th>
<th>Proposed 04-05</th>
<th>Proposed Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior Years</td>
<td>3,400,000</td>
<td>&lt;3,400,000&gt;</td>
<td></td>
</tr>
<tr>
<td>03-04</td>
<td>1,025,000</td>
<td>1,025,000</td>
<td>0</td>
</tr>
<tr>
<td>04-05</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>0</td>
</tr>
<tr>
<td>05-06</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>06-07</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>07-08</td>
<td>3,400,000</td>
<td>3,025,000</td>
<td>&lt;375,000&gt;</td>
</tr>
</tbody>
</table>

The DOTD and TLCD are required to provide a minimum of 5% cash on all pre-construction engineering and design project related costs. This amount reflects the necessary contribution to the design of the Houma Navigation Canal Lock, and other features currently under design.

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2004-2005 Budget as presented by the Terrebonne Levee and Conservation District for the Morganza to the Gulf Hurricane Protection Project be adopted as presented.

SECTION II
If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION III

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government for Terrebonne Parish, whichever occurs sooner.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:


NAYS:  W. Thibodeaux.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

* * * * * * * * *

The Chairman recognized the public for comments on the following:

H. A proposed ordinance that will amend the legal description of property contained within Ordinance No. 6820, which approved the sale of property under the provisions of the Homeowner Buyout/FEMA Grant, Acquisition/Elevation Project #1437-109-001

There were no comments from the public on the proposed ordinance.

Mr. P. Rhodes moved, seconded by Ms. K. Elfert, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted.

OFFERED BY:  Mr. P. Rhodes.
SECONDED BY:  Mr. H. Lapeyre & Ms. K. Elfert.

ORDINANCE NO. 6863

AN ORDINANCE TO AMEND ORDINANCE NO. 6820 TO CORRECT A CLERICAL ERROR IN THE LEGAL DESCRIPTION OF CERTAIN PROPERTY LISTED THEREIN; TO AUTHORIZE THE LEGAL DEPARTMENT TO PREPARE THE NECESSARY LEGAL DOCUMENTS WITH RESPECT THERETO; TO AUTHORIZE THE PARISH PRESIDENT
TO EXECUTE THE NECESSARY LEGAL DOCUMENTS WITH RESPECT THERETO; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

SECTION I.

WHEREAS, pursuant to Ordinance No. 6820 adopted by the Assembled Council in Regular Session on December 3, 2003, Aegis Innovative Solutions, L.L.C. has offered homeowners the buyout provision through a “Voluntary Transaction Agreement” executed between the homeowner and the parish contingent on Council approval for certain properties;

WHEREAS, Ordinance No. 6820 listed the properties, there was a clerical error in the listing of property with the address of 6120 & 6126 Shrimpers Row, Houma, LA 70363;

WHEREAS, Ordinance No. 6820 previously listed the property to be acquired by the Parish as:

<table>
<thead>
<tr>
<th></th>
<th>6120 &amp; 6126 Shrimpers Row, Houma, LA 70363</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appraised Value -</td>
<td>$107,000.00 (2 structures)</td>
</tr>
<tr>
<td>Offer Amount -</td>
<td>$59,353.00</td>
</tr>
<tr>
<td>Legal Description</td>
<td>A tract of land situated in the Parish of Terrebonne, Louisiana, designated as A-B-C-D-A being a re division of property located in Section 1, T19S-R17-E.</td>
</tr>
</tbody>
</table>

WHEREAS, it was not the intent of the owners of the property, Audrey V. Hebert, David J. Hebert, Thomas J. Hebert, Phyllis Hebert Clark, Janelle Hebert Boudreaux and Carla Hebert Theriot, to sell the tract of land designated as A-B-F-E-A (incorrectly designated as A-B-C-D-A), nor was it the intent of the Parish to purchase the tract of land designated as A-B-F-E-A (incorrectly designated as A-B-C-D-A).

WHEREAS, it was the intent of the owners of the property, Audrey V. Hebert, David J. Hebert, Thomas J. Hebert, Phyllis Hebert Clark, Janelle Hebert Boudreaux and Carla Hebert Theriot, to sell the tract of land designated as E-F-G-H-E, and it was the intent of the Parish to purchase the tract of land designated as E-F-G-H-E.

WHEREAS, Ordinance No. 6820 should be amended to reflect the intent of the parties and should read:

<table>
<thead>
<tr>
<th></th>
<th>6120 &amp; 6126 Shrimpers Row, Houma, LA 70363</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appraised Value -</td>
<td>$107,000.00 (2 structures)</td>
</tr>
<tr>
<td>Offer Amount -</td>
<td>$59,353.00</td>
</tr>
<tr>
<td>Legal Description</td>
<td>A tract of land situated in the Parish of Terrebonne, Louisiana, designated as E-F-G-H-E being a re division of property located in Section 1, T19S-R17-E.</td>
</tr>
</tbody>
</table>

THEREFORE, BE IT ORDAINED that the legal department prepare the necessary documents in connection herewith and the Parish President is hereby authorized to sign any necessary documents in connection herewith.

SECTION II

THEREFORE, BE IT FURTHER ORDAINED that the legal department prepare the necessary documents in connection herewith and the Parish President is hereby authorized to sign any necessary documents in connection herewith.

SECTION III
If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

**THERE WAS RECORDED:**


**NAYS:**  None.

**ABSTAINING:**  None.

**ABSENT:**  None.

The Chairman declared the ordinance adopted on this, the 28th day of April, 2004.

* * * * * * * * *

The Council continued with the regular order of business.

The Chairman called for Mr. Ernest Dardar, Bourg resident, who had turned in a speaker card, but Mr. Dardar had left the proceedings.

The Chairman recognized Mr. Jeffrey Parker, Lincoln Street resident, who coaches little league, who expressed his concerns relative to the TPR Baseball League ending earlier than normal this year. Mr. Parker also expressed his concerns relative to the facts and not being heard regarding being suspended from participating in all TPR sponsored activities for one (1) year.

Mr. A. Tillman moved, seconded by Mr. H. Lapeyre, “THAT, the Council refer the matter presented by Mr. Jeffrey Parker regarding his suspension from all TPR sponsored activities for one (1) year to Administration for review.” *(MOTION VOTED ON AFTER DISCUSSION.)*

Mr. Jeffrey Parker continued his presentation regarding his concerns about being suspended from all TPR sponsored activities for one (1) year, when this is his first offense and he is not being allowed to have a hearing regarding the matter.

*The Chairman called for a vote on the motion offered by Mr. A. Tillman.

**UPON ROLL CALL THERE WAS RECORDED:**

**YEAS:**  P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C. Duplantis, H. Lapeyre, and C. Voisin

**NAYS:**  None

**ABSTAINING:**  None

**ABSENT:**  None

The Chairman declared the motion adopted.

The Chairman called for a report on the Budget & Finance Committee meeting held on 4/26/04, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 5/12/04, rendered the following:

**BUDGET & FINANCE COMMITTEE**
The Chairman, Harold Lapeyre, called the Budget & Finance Committee meeting to order at 5:30 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Tillman and the Pledge of Allegiance led by P. Rhodes. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, P. Lambert, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

Ms. C. Duplantis moved, seconded by Mr. C. Voisin, “THAT, the Budget & Finance Committee add on to the agenda the matters relative to amending the 2004 Adopted Budget & the 5-Year Capital Outlay to provide funding for the Central Avenue/White Avenue and the Williams Avenue Bridge Projects.”

The Chairman called for the vote on the motion offered by Ms. C. Duplantis

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. C. Voisin, “THAT, the Budget & Finance Committee introduce an ordinance to amend the 2004 Adopted Budget and the 5-Year Capital Outlay of the Terrebonne Parish Consolidated Government to adjust the amount needed for the Central Avenue/White Avenue Project, and call a public hearing on said matter on May 12, 2004 at 6:30 p.m.”

The Chairman called for the vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Ms. K. Elfert, “THAT, the Budget & Finance Committee introduce an ordinance to amend the 2004 Adopted Budget and the 5-Year Capital Outlay of the Terrebonne Parish Consolidated Government to adjust the amount needed for the Williams Avenue Bridge Project, and call a public hearing on said matter on May 12, 2004 at 6:30 p.m.” (**MOTION ADOPTED AFTER DISCUSSION)

Committee Member C. Duplantis explained that funding from the 1-1B Forced Drainage Project would not be used for the Williams Avenue Bridge Project. She continued that Ms. K. Elfert has identified previously allocated funding for the Hollywood Road Extension Project that could be used for the Williams Avenue Bridge Project.

Upon questioning, Parish Manager Barry Blackwell stated that funding for the Hollywood Road Extension Project’s feasibility study could be used for the Williams Avenue Bridge Project. He noted that with the delay in the South Hollywood Road Extension Project, the allocated funds for the extension project would not be expended in the near future, and could
be transferred to the Williams Avenue Bridge Project. Mr. Blackwell added that the aforementioned funding would have been used for the planning of the extension project.

**The Chairman called for the vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. P. Rhodes moved, seconded by Ms. K. Elfert, “THAT, the Budget & Finance Committee return to the regular order of business as per the written agenda.”

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. W. Thibodeaux.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-147

A resolution authorizing contracting with Vegetation Management Specialist, Inc. (VMSI) to chip and grind trees at various locations throughout Terrebonne Parish for the North and South Plants.

WHEREAS, prices were obtained by Des Cannes-Nezpique Drainage District for the purpose of chipping and grinding trees, and

WHEREAS, after careful review by the Parish Administration it has been determined that the price of Fifty Six Thousand Ten Dollars and Eights Cents ($56,010.80) from Vegetation Management System Specialist, Inc. should be accepted as per attached documents and under the provisions set forth in the Louisiana Revised Statutes Title 39:1701 et seq. and

WHEREAS, the Parish Finance Department has verified that the funds are budgeted and available in the 2004 Account No. 311-434-8911-01 for the chipping and grinding trees at various locations throughout Terrebonne Parish.

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned project for the chipping and grinding of trees at the North and South Plants.

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, accepts the price of $56,010.80 from Vegetation Management System Specialist, Inc. and that the Parish President and all other appropriate parties be, and they are hereby, authorized to execute any and all contract documents associated therewith.
THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 26th day of April, 2004.

* * * * * * * *

Upon questioning, Parish Manager Barry Blackwell explained that the new chipping machine has been in high demand and does not warrant pulling the machine from priority projects to address the aforementioned project.

Pollution Control Administration Michael Ordogne stated that the 250-acre pond has four different cells and added that he does not know how the problem of the vegetation has escalated to this point. Mr. Ordogne stated that Administration would continue routine maintenance of the levees to ensure that the vegetative growth does not escalate again.

Committee Member Pete Lambert noted the efficiency and the need to purchase an additional chipping machine to address vegetative growth along Parish levees.

OFFERED BY: Mr. C. Voisin.
SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 04-148

A RESOLUTION TO APPROVE PAYMENT TO AEGIS INNOVATIVE SOLUTIONS, LLC FOR THE PURPOSE OF DUB JOHNSON PAVING CONTRACTOR, INC. PERFORMING ALL WORK (LABOR/MATERIAL/EQUIPMENT) FOR THE DEMOLITION AND REMOVAL OF AN ABANDONED RESIDENTIAL STRUCTURE LOCATED AT 6569 GRAND CAILOU ROAD, DULAC, LA IN CONJUNCTION WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AGENT HAZARD MITIGATION GRANT PROGRAM (PROJECT #HMG-1437-109-0001).

WHEREAS, sealed quotations were obtained by Aegis Innovative Solutions, LLC for the purpose of performing all work (labor, materials, and equipment) necessary for an incidental to the demolition and removal of one (1) abandoned residential structure located at 6569 Grand Caillou Road, Dulac, LA for the Planning and Zoning Department pursuant to FEMA requirements of the Hazard Mitigation Grant Program, and

WHEREAS, it has been determined the project was awarded to Dub Johnson Paving Contractor, Inc. per a bid of Sixteen Thousand, Eight Hundred Dollars ($16,800.00), and

WHEREAS, fifteen percent (15%) of the bid amount is Two Thousand, Three Hundred Twenty Dollars ($2,520.00) due Aegis Innovative Solutions, LLC, and

WHEREAS, after careful review by Pat Gordon, Planning and Zoning Director, it has been determined that the total payment of Nineteen Thousand, Three Hundred Twenty Dollars ($19,320.00) payable to Aegis Innovative Solutions, LLC for the above referenced services be accepted per the attached documents, and

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available in the 2004 Account Number 213-622-8353-05 for the aforementioned referenced services, and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned services at a total cost of Nineteen Thousand, Three Hundred Twenty Dollars ($19,320.00) as per the attached documents.
NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget & Finance Committee), on behalf of Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the quotation for the aforementioned services be accepted as per the attached forms.

THERE WAS RECORDED:


NAYS:  A. Tillman.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the resolution adopted on this, the 26th day of April, 2004.

Upon questioning, Planning & Zoning Director Patrick Gordon stated that the FEMA Grant funding can be used to elevate structures and repair/demolish damaged structures. He stated that the structure does not need to be occupied to receive assistance. He noted that those properties that are occupied take longer to complete due to the need to draft plans and designs.

Committee Member P. Rhodes stated that Administration’s priority should be to rehabilitate occupied structures first before addressing unoccupied/abandoned structures.

Mr. Gordon stated that the aforementioned request is part of the initial properties submitted for FEMA Grant assistance. He continued that once the structure is demolished, the property becomes Parish owned property. Upon questioning, Mr. Gordon noted that Aegis is working on addressing occupied and unoccupied structures at the same time. He added that Aegis representatives would be present Wednesday to address any concerns. In response to the aforementioned structure being abandoned, Mr. Gordon stated that the structure was damaged as a result of the last storm related incident.

Discussion transpired relative to demolishing abandoned structures.

Mr. C. Voisin moved, seconded by Ms. K. Elfert, “THAT, the Budget & Finance Committee direct the Legal Department and Administration to expeditiously submit notification to Hibernia Bank to request payment of $60,800.00 as per the contract agreement with Mr. Louis Saia, III for the Kirk Manufacturing site.” (**MOTION ADOPTED AFTER BRIEF DISCUSSION)

Parish Attorney Richard Breaux stated that the Legal Department has determined that another payment from Mr. Saia is in order, and noted the options listed in the contract to make a demand for payment.

Parish Manager Barry Blackwell stated that Mr. Saia has not created any jobs at this time, but has indicated that he is hopeful to create the jobs before the expiration of contract terms.

Upon additional questioning, Mr. Breaux stated that the Certificate of Deposit agreement explained the process by which Mr. Saia would create jobs or relinquish interest income.

**The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.
The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. C. Voisin, “THAT, the Budget & Finance Committee introduce an ordinance to amend the 2004 Adopted Budget of the Terrebonne Parish Consolidated Government to provide additional funding for the Criminal Court Fund and call a public hearing on May 12, 2004 at 6:30 p.m.” (**MOTION ADOPTED AFTER DISCUSSION)

Comptroller Jamie Elfert explained that revenue for the Criminal Court Fund is derived from fines and forfeitures. She continued that over the past couple of years, it has been difficult to estimate the amount of revenue that will be received, and noted that the District Attorney’s Office has in the past supplemented the aforementioned fund. Ms. Elfert explained that it has been determined that Administration can no longer request a supplement from the District Attorney’s Office, and added that approximately $380,000.00 is needed for Fiscal Year 2004. She noted that the District Attorney’s Office has offered $215,000.00 from its Discretionary Fund to supplement the Drug Court portion of the Criminal Court Fund.

The Chairman recognized Terrebonne Parish District Attorney Joseph Waitz, Jr. who stated that historically, there has been a problem with adequate funding for the Criminal Court Fund, and the District Attorney’s Office has supplemented the aforementioned fund for the last seventeen years. He continued that at a meeting of the Louisiana District Attorney’s meeting, it was discovered that the District Attorney’s Office should not supplement the fund. Mr. Waitz explained that the short in the Criminal Court Fund could be attributed to shortages in speeding tickets, seatbelt violations, and people not paying fines as was done in the past. Upon questioning, Mr. Waitz stated that the primary funding for the District Attorney’s Office is derived from the Parish Government, but fines and forfeitures fund the Criminal Court Fund.

Mrs. J. Elfert interjected that the Criminal Court Fund has funded the secretaries and support staff for the District Attorney’s Office. She explained the funding sources for the Criminal Court Fund as it relates to the primary sources of fund accounts.

Upon additional questioning, Mr. Waitz stated that fines received for speeding tickets within the City of Houma are allocated to City Court, and fines received from the Louisiana State Troopers Office and the Terrebonne Parish Sheriff’s Office are allocated to the Criminal Court Fund. He noted that the vast majority of the fines are received from the Louisiana State Trooper’s Office.

**The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: K. Elfert.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. P. Rhodes, “THAT, the Budget & Finance Committee revisit Item No. 3 (Kirk Manufacturing site, Louis Saia, III).”

The Chairman called for the vote on the motion offered by Mr. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

In response relative to the creation of jobs at the Kirk Manufacturing site, Parish Attorney Richard Breaux stated the contract between the Parish Government and Mr. Louis Saia, III contains a clause, in that, if the jobs are created the commitment has been satisfied and an adjustment would be made at the termination of the contract. He added that the benchmark jobs are another issue.

Mr. P. Rhodes moved, seconded by Mr. A. Tillman, “THAT, there being no further business to come before the Budget & Finance Committee, the meeting be adjourned.”

The Chairman called for the vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:03 p.m.

Harold Lapeyre, Chairman

Suzette Thomas, Minute Clerk

Mr. H. Lapeyre moved, seconded by Mr. P. Rhodes, “THAT, the Council accept and ratify the minutes of the Budget & Finance Committee meeting held on 4/26/04.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, C. Duplantis, H. Lapeyre, and C. Voisin

NAYS: None

ABSTAINING: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The Chairman called for a report on the Policy, Procedure, & Legal Committee meeting held on 4/26/04, whereupon the Committee Chairman rendered the following:

POLICY, PROCEDURE, & LEGAL COMMITTEE

APRIL 26, 2004
The Chairman, Wayne Thibodeaux, called the Policy, Procedure, & Legal Committee meeting to order at 6:29 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by P. Rhodes and the Pledge of Allegiance led by K. Elfert. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, P. Lambert, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

OFFERED BY:    Ms. K. Elfert.
SECONDED BY:  Mr. H. Lapeyre.

RESOLUTION NO. 04-149

WHEREAS, in June of 2001, the Terrebonne Parish Council authorized an agreement with Ticketmaster for the establishment of a Ticketmaster Office in the Houma-Terrebonne Civic Center, and

WHEREAS, this arrangement has worked well on behalf of the Civic Center, Ticketmaster and, most importantly, the citizens of Terrebonne Parish, and

WHEREAS, the present agreement is scheduled to expire in June of 2003 and the Civic Center Staff and Administration have reviewed the present agreement and have recommended that certain amendments be made to the current licensed user agreement with Ticketmaster, and

WHEREAS, the Parish Administration has recommended that the agreement with Ticketmaster be extended until June 27, 2007 (three year extension) with the changes recommended in Exhibit A (Amendment to Licensed User Agreement).

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Policy, Procedure and Legal Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved; that the extended Licensed user Agreement with Ticketmaster be approved; and that the Parish President be authorized to sign the agreement on behalf of the Terrebonne Parish Consolidated Government.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the resolution adopted on this, the 26th day of April, 2004.

* * * * * * * *

Civic Center Business Manager Christopher Moore stated that the aforementioned approval extends the aforementioned agreement between the Houma-Terrebonne Civic Center and the Ticketmaster. He noted that Ticketmaster provides a great service, and provides ticket services for the Civic Center throughout the southern region. Mr. Moore added that the contract extension is for three years, and includes an additional twenty-five cents handling fee for all ticket sales.

OFFERED BY:    Mr. C. Voisin.
SECONDED BY:  Ms. K. Elfert.

RESOLUTION NO. 04-150

WHEREAS, the voters of Terrebonne Parish approved the Home Rule Charter for a Consolidated Government for Terrebonne Parish on July 11, 1981, and

WHEREAS, since the time of its inception, several rules, regulations and practices have changed, and

WHEREAS, the Terrebonne Parish Council believes that the time is right to review the document and to ultimately offer updates to the voters for consideration, and

WHEREAS, although R.S. 33:1395.1 provides various provisions for appointing members of the Home Rule Charter Commission, the Parish Council would like to define the method of appointment of the members of the commission and to specifically identify the role and duties of said commission.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Policy, Procedure & Legal Committee), on behalf of the Terrebonne Parish Consolidated Government, that a Home Rule Charter (Review) Commission be established as follows:

SECTION 1. Composition of Commission: The Commission shall be composed of eleven (11) members – one appointed by each of the nine Council members, one appointed by the Parish President and one appointed by the Terrebonne Parish Council from a list of Terrebonne Parish citizens who submitted resumes. Commissioners should be prepared to commit a total of eighteen months to the project. Every attempt should be made to have the Commission reflect the diversity in the Parish, including, but not be limited to, race, sex and various professions/areas of concern. As identified in R.S. 33:1395.1, vacancies in the Commission shall be filled by appointment of the remaining members.

SECTION 2. Meetings of the Commission: All meetings of the Commission shall be open to the public, allow a portion of the meeting agenda to allow public input and shall comply with the Open Meetings Law. The Commission should meet monthly until their task is completed. The Commission may use the Council Meeting Room on a set date not conflicting with other regularly scheduled meetings.

SECTION 3. Time Frame. As per R.S. 33:1395.1, the Commission is given twelve (12) months, from the time of appointment of at least a quorum of the authorized membership, to complete their task and submit any and all recommended revisions to the Home Rule Charter to the Council. It will be the duty and responsibility of the Parish Council to submit the proposed revisions to the voters for consideration at the next election, in compliance with LA R.S. 33:1395.2.

SECTION 4. Duties of the Commission. The Commission shall be responsible for selecting the proper consultant to assist with the Charter review and to request financial assistance from the Parish Government to facilitate all related expenses. The Commission shall, at all times, act in accordance with the provisions of R.S. 33:1395, et seq. The Commission shall review the entirety of the Charter and to submit recommended revisions to the Council within the time frame identified in Section 3. The Commission shall consider all opinions expressed by public officials and the general public.

SECTION 5. Areas of the Charter to be reviewed. The areas of the current Home Rule Charter to be reviewed by the Commission shall include, but not be limited to, the following suggested areas:

1. Composition of the Parish Employees Grievance Board
2. Compensation for the Parish President and Council members
3. Time frame for notices to be published
4. The Parish Legal Department
5. Change or clarification of “hold-over” for personnel matters.
6. Temporary residences for displaced elected officials
7. Inauguration dates
8. Description of the various Parish Departments
9. Updating various state laws and/or names mentioned in the Charter to reflect the current situation
10. Budget development – clear guidance in the case of non-passage of the budget for consecutive years
11. Qualification of candidates in the event of changes to district lines

BE IT FURTHER RESOLVED, that nominations for said seats be opened upon adoption of this resolution and that all appointments to the Commission be made at the May 26, 2004 meeting of the Terrebonne Parish Council.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 26th day of April, 2004.

Council Clerk Paul Labat stated that the difference between the previously submitted resolution and the aforementioned resolution is that the commission would be allowed twelve months to work on the review, but may request an extension of up to eighteen months. He added that each Council member would appoint one member, the Parish President would appoint one member, and the Council in entirety would appoint one at-large member. Mr. Labat stated that the appointments would be made at the Wednesday, May 26, 2004 Council meeting.

The Chairman requested that members of the Charter Commission be given the letter from South Central Planning & Development Commission as part of their information packets. He suggested that the information packet also include information relative to the statutory responsibility of the Consolidated Government to the Terrebonne Parish District Attorney’s Office because current statutes refer to the “Police Jury” system of government not the Home Rule Charter form of government.

The Chairman stated that Item No. 3a (Personnel Manual – Fire Department) was placed on the agenda in error.

Ms. K. Elfert moved, seconded Mr. P. Rhodes, “THAT, the Policy, Procedure, & Legal Committee postpone the matter relative to trees Broadmoor Subdivision for two weeks.”

The Chairman called for the vote on the motion offered by Ms. K. Elfert.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. P. Rhodes moved, seconded by Ms. K. Elfert, “THAT, there being no further business to come before the Policy, Procedure, & Legal Committee, the meeting be adjourned.”

The Chairman called for the vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:38 p.m.

Wayne Thibodeaux, Chairman

Suzette Thomas, Minute Clerk

Mr. W. Thibodeaux moved, seconded by Mr. H. Lapeyre, “THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 4/26/04.”

The Chairman called for a vote on the motion offered by Mr. W. Thibodeaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, C. Duplantis, H. Lapeyre, and C. Voisin

NAYS: None

ABSTAINING: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The Chairman called for a report on the Public Services Committee meeting held on 4/27/04, whereupon the Committee Chairwoman rendered the following:

PUBLIC SERVICES COMMITTEE

APRIL 27, 2004

The Chairwoman, Christa Duplantis, called the Public Services Committee meeting to order at 5:30 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by K. Elfert and the Pledge of Allegiance led by P. Lambert. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, P. Lambert, H. Lapeyre, P. Rhodes, A. Tillman, and C. Voisin. Committee Member W. Thibodeaux was recorded as entering the proceedings at 5:34 p.m. A quorum was declared present.

OFFERED BY: Mr. C. Voisin.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-151

A resolution ratifying the Parish President’s appointment of GSE Associates, Inc. to provide professional services related to a sewer rate study.

WHEREAS, Terrebonne Parish Ordinance No. 5999, adopted December 1998, provided for annual incremental rate increases of $0.11 per 1000 gallons of water consumption beginning January 1, 1999 and ending January 1, 2003, and

WHEREAS, at the time of adoption, these increases were less than that considered adequate, and
WHEREAS, it appears the increases may not have kept pace with increased operating and maintenance expenses, and

WHEREAS, the Terrebonne Parish Consolidated Government is required annually to demonstrate it has and does maintain adequate rates for system operation and maintenance, in connection with the Louisiana Department of Environmental Quality Municipal Water Pollution Prevention (MWPP) audit, and

WHEREAS, in consideration of the foregoing, the Parish President has appointed GSE Associates, Inc. to provide continuous professional services to the Utilities Department relative to a sewer rate study.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President’s appointment of GSE Associates, Inc. to conduct a review of sewer user rates be, and is hereby ratified.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  W. Thibodeaux.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

* * * * * * * * *

Utilities Director Tom Bourg stated that the aforementioned study would cost $13,000.00.

OFFERED BY: Mr. H. Lapeyre.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-152
A resolution ratifying the Parish President’s appointment of URS Corporation to provide general and specific professional power system engineering services to the Utilities Department.

WHEREAS, the Department of Utilities is in need of continuous access to the consultation of a professional engineer for purposes of addressing technical questions or problems that arise in the daily operation of the electric system, and

WHEREAS, the Department of Utilities is in need of the services of a professional engineering firm to assist with the development of a comprehensive long term capital program for the electric system, prioritized on need and benefit, and

WHEREAS, the Department of Utilities is in need of the services of a professional engineer to assist with property oversight and coordination in connection with the proposed Houma Entergy joint venture to construct improvements to the Entergy Houma Substation, and

WHEREAS, URS Corporation, formerly Walk-Haydel and Associates, has previously provide electric system planning and design services to the department in a proficient and professional manner, and

WHEREAS, URS Corporation has committed to utilize qualified local resources to the maximum extent practical, and

WHEREAS, in consideration of the foregoing, the Parish President has appointed URS Corporation to provide continuous professional engineering consultation to the Utilities
Department in accordance with their proposal of March 17, 2003, and to provide services relative to a System Review and Project Prioritization in accordance with their proposal of March 31, 2003.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President’s appointment of URS Corporation to provide continuous professional engineering consultation to the Utilities Department in accordance with their proposal of March 17, 2003, to provide services relative to a System Review and Project Prioritization in accordance with their proposal of March 31, 2003, and to provide professional services in connection with the Entergy Houma Substation Breaker Installation project be, and is hereby ratified; and,

BE IT FURTHER RESOLVED that the Parish President and all other appropriate parties be, and they are hereby authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: W. Thibodeaux.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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OFFERED BY: Mr. H. Lapeyre.
SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 04-153

A resolution authorizing the Parish President to enter into an amendment to the Mutual Joint Pole Use Agreement with South Louisiana Electric Cooperative Association.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President be, and he is hereby authorized to enter into Amendment No. 2 to the Mutual Joint Pole Use Agreement with SLECA substantially in the form attached hereto; and,

BE IT FURTHER RESOLVED that the Parish President and all other appropriate parties be, and they are hereby authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: W. Thibodeaux.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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OFFERED BY: Ms. K. Elfert.  
SECONDED BY: Mr. H. Lapeyre.  

RESOLUTION NO. 04-154

A resolution authorizing a contract with Fischer Engineering for repairs needed to the Houma Generating Station Unit 16 Cooling Tower.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, authorizes a contract with Fischer Engineering for repairs needed for Unit 16 Marley Cooling Tower; and,

BE IT FURTHER RESOLVED that the Parish President and all other appropriate parties be, and they are hereby authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

* * * * * * * * *

Utilities Director Tom Bourg explained that major repairs were completed on the Unit 15 Boiler, not the Cooling Tower. He continued that every five years the cooling tower is disassembled and re-assembled for service repairs.

Committee Member W. Thibodeaux was recorded as entering the proceedings at this time.

OFFERED BY: Mr. H. Lapeyre.  
SECONDED BY: Ms. K. Elfert.  

RESOLUTION NO. 04-155

A resolution providing for the acceptance of work performed by RAD-TON, Inc. in accordance with the Certificate of Substantial Completion for C&D Landfill, Phase I, Parish Project No. 01-LAND-24, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated March 25, 2002 with RAD-TON, Inc. for C&D Landfill, Phase I, Parish Project No. 01-LAND-24, Terrebonne Parish, Louisiana, and

WHEREAS, work performed under the contract has been inspected by authorized representatives of the Owner, Engineer and Contractor and found to be substantially complete, and

WHEREAS, the Engineer for this project, T. Baker Smith & Son, Inc., recommends the acceptance of the substantial completion.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work in accordance with the contract and specifications in accordance with the Certificate of Substantial Completion, effective as of the date of recording of this resolution, and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of
Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract under Entry No. 1117326 of the Records of Terrebonne Parish, Louisiana; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, T. Baker Smith & Son, Inc.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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OFFERED BY: Mr. W. Thibodeaux.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-156

A resolution providing approval of Amendment No. 1 to the Engineering Agreement for the Mount Pilgrim Forced Drainage Area (6-3), Parish Project No. 01-DRA-44, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into an Engineering Agreement dated December 17, 2001 with T. Baker Smith & Son, Inc. for the project entitled Mount Pilgrim Forced Drainage Area (6-3), Parish Project No. 01-DRA-44, and

WHEREAS, the Engineering Agreement between Owner and Engineer provides for certain limitations for Basic Services and specific Additional Services, and

WHEREAS, the Terrebonne Parish Consolidated Government has budgeted additional monies for the preliminary engineering for this project, and

WHEREAS, the Engineer is prepared to begin the design to provide for this preliminary engineering, and

WHEREAS, the basic services section of this contract needs to be established, and

WHEREAS, the upset limits for the categories of Permit Coordination, Modeling, Feasibility Study, Surveying, Owner Representation (Rights-of-Way), & Reimbursables under the additional services section of this contract needs to be established, and

WHEREAS, the firm of T. Baker Smith & Son, Inc. has been asked to perform these activities under the Basic Services and Additional Services section of the Engineering Agreement for this project, and

WHEREAS, the TPCG is desirous of having these services continued so that there is a need for additional funds to be included in this contract for an increase in the upset limit.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve this Amendment No. 1 to the Engineering Agreement for an increase of $60,500.00 in Additional Services and increase of $36,100.00 in Basic Services and authorizes Parish President Don Schwab to execute this Amendment No. 1 to the Engineering Agreement for the Mount Pilgrim Forced Drainage Area (6-3), Parish Project No. 01-DRA-44, with T. Baker Smith & Son, Inc.; and,
BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, T. Baker Smith & Son, Inc.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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OFFERED BY: Mr. C. Voisin.
SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 04-157

A resolution authorizing the execute of Change Order No. 3 for the Construction Agreement for the C&D Landfill (Phase I), Parish Project No. 01-LAND-24, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated March 25, 2002 with RAD-TON, Inc. for the C&D Landfill (Phase I), Parish Project No. 01-LAND-24, Terrebonne Parish, Louisiana, and

WHEREAS, this change order is necessary to balance quantities to actual quantities installed, and

WHEREAS, this change order is also necessary to add the punch list dirt work that was removed from the contract with Volute, Inc., and

WHEREAS, a construction cost increase of $8,293.46 has been negotiated for this additional work, and

WHEREAS, this Change Order No. 3 has been recommended by the Engineer for this project, T. Baker Smith & Son, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Don Schwab of Change Order No. 3 to the construction agreement with RAD-TON, Inc. to perform construction services for the C&D Landfill (Phase I), Parish Project No. 01-LAND-24, which is necessary to balance quantities to actual quantities installed and add the punch list dirt work that was removed from the contract with Volute, Inc. for an increase of Eight Thousand, Two Hundred Ninety-three Dollars and Forty-five Cents ($8,293.45) to the original contract amount; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, T. Baker Smith & Son, Inc.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.
The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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Utilities Director Tom Bourg stated that the aforementioned change order is a balancing change order, which changes the quantity estimate to the actual units. He noted that the project was successful, on time, and within budget.

OFFERED BY: Mr. C. Voisin.
SECONDED BY: Mr. P. Rhodes.

RESOLUTION NO. 04-158

A resolution authorizing the execute of Change Order No. 4 for the Construction Agreement for the C&D Landfill (Phase II), Parish Project No. 01-LAND-24, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated December 6, 2002 with Volute, Inc. for the C&D Landfill (Phase II), Parish Project No. 01-LAND-24, Terrebonne Parish, Louisiana, and

WHEREAS, Volute, Inc. is desirous of being removed from the contract, and

WHEREAS, the contractor for Phase I, RAD-TON, Inc. is desirous of completing the dirt work that is remaining on Volute, Inc.’s punch list, and

WHEREAS, a construction cost decrease of $1,400.00 has been negotiated for this decrease in scope, and

WHEREAS, this Change Order No. 4 has been recommended by the Engineer for this project, T. Baker Smith & Son, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Don Schwab of Change Order No. 4 to the construction agreement with Volute, Inc. to perform construction services for the C&D Landfill (Phase II), Parish Project No. 01-LAND-24, which is necessary to remove the dirt work remaining on the punch list for a decrease of One Thousand, Four Hundred Dollars and No Cents ($1,400.00) to the original contract amount; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, T. Baker Smith & Son, Inc.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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OFFERED BY: Ms. K. Elfert.
SECONDED BY: Mr. P. Lambert and Mr. A. Tillman.

RESOLUTION NO. 04-159
A resolution approving Change Order No. 1 to the construction agreement with Civil Construction Contractors, Inc. for Parish Project No. 03-DRA-22, District 3 Drainage Improvements Project – Phase I (Westview Drive), Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a construction agreement dated February 17, 2004 with Civil Construction Contractors, Inc. for Parish Project No. 03-DRA-22, District 3 Drainage Improvements Project – Phase I (Westview Drive), Terrebonne Parish, Louisiana, and

WHEREAS, the plans showed certain information and the field investigation differs from the plans, and

WHEREAS, the pipe sizes, conflict boxes, and other casings need to be larger than originally anticipated, and

WHEREAS, the pipes are actually located closer to the road making it necessary to drive steel sheeting to protect the shoulder, and

WHEREAS it is now necessary to increase the contract amount due to this change in scope, and

WHEREAS, it is also necessary to increase the contract time by 5 additional contract days, and

WHEREAS, this change order is necessary in order to increase the contract price by an additional $9,533.56.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee, on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Don Schwab of this Change Order No. 1 which results in an increase in cost of Nine Thousand, Five Hundred Thirty-three Dollars and Fifty-six Cents ($9,533.56), and an increase in contract time of five (5) days, for Parish Project No. 03-DRA-22, District 3 Drainage Improvements Project – Phase I (Westview Drive), Terrebonne Parish, Louisiana.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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Public Works Director Al Levron stated that there are two relevant issues involved in the Concord Road drainage project, which include the U. S. Army Corps of Engineers permitting and right-of-way acquisition.

The Chairman recognized Mr. Clay Breaux of GSE Associates, Inc., who stated that a preliminary servitude document has been prepared and is under review by Mr. Bob Butler, attorney for the property owner. He continued that upon Mr. Wright’s agreement, appraisals would be obtained, the U. S. Army Corps of Engineers’ permit has been applied for, and the wetland determination is complete. Mr. Breaux noted that it might take two months before the right-of-way acquisitions are complete.

Mr. H. Lapeyre moved, seconded by Mr. C. Voisin, “THAT, the Public Services Committee retain the matter relative to Concord Road in committee for further evaluation of the acquisition of rights-of-way and periodic updates.”
UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Ms. K. Elfert, “THAT, the Public Services Committee request Administration to include additional streets in Districts 3 & 4 in the Speed Calming Device Pilot Program.”

Planning & Zoning Director Patrick Gordon explained the Speed Calming Device Pilot Program, and the study being conducted by Urban Systems. Upon questioning, Mr. Gordon stated that $5,000.00 was allocated last year for the aforementioned pilot program, and added that if additional funding becomes available St. Patrick Street, Hampton Street, Willie Lou Avenue, and an undesignated street in District 5 will be added to the list.

Mr. A. Tillman offered an amendment, seconded by Ms. K. Elfert, “THAT, the Public Services Committee request Administration to include St. Patrick Street, Hampton Street, Willie Lou Avenue, and an undesignated street in District 5 in the Speed Calming Device Pilot Program.” (**AMENDED MOTION ADOPTED AFTER DISCUSSION)

Mr. Gordon stated that the cost of implementing a Traffic Calming Program has not been determined at this time, and noted that public hearings would be conducted to identify traffic problems in various areas. He added that the engineer would be allowed to make the final recommendation. Upon questioning regarding the use of asphalt speed bumps, Mr. Gordon explained that neither the Uniform Traffic Device Manual nor does any traffic engineer recognize asphalt speed bumps. He added that Administration would not recommend the use of speed bumps, and noted that Administration has not been requested to review the use of the existing speed bumps.

Committee Member W. Thibodeaux expressed his concern relative to the negligent and reckless behavior of motorists speeding along residential roadways.

Upon additional questioning, Mr. Gordon reiterated that Administration would not recommend the use of speed bumps, and noted that law enforcement personnel should address speeding concerns.

Discussion ensued relative to addressing concerns relative to speeding motorists.

Mr. Gordon explained the difference between speed bumps and speed humps.

Committee Member H. Lapeyre requested that Administration research the possibility of investing in technology which would take pictures of the license plate of speeding motorists for issuance of a citation and report back to the committee in thirty days.

**The Chairwoman called for the vote on the amended motion offered by Mr. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.
The Chairwoman declared the amended motion adopted.

The Chairwoman recognized former Police Juror Robert Marmande and former School Board Member Francis Voisin who were present.

Mr. C. Voisin moved, seconded by Mr. A. Tillman and Mr. H. Lapeyre, “THAT, the Public Services Committee adopt a resolution accepting a petition and directing the matter regarding drainage in Bayou Dularge to Administration for handling.” (**RESOLUTION OFFERED AFTER DISCUSSION)

The Chairwoman recognized Mr. Francis Voisin of 1789 Bayou Dularge Road, who expressed his concern relative to Terrebonne Parish’s shrinking coastline. He inquired about available funding to conduct a drainage study in the Bayou Dularge area.

Public Works Director Al Levron stated that there is limited funding available for new capital drainage projects. He noted the possibility of funding being available through the State’s flooding allocation or Hazard Mitigation funding. Mr. Levron added that in order to receive funding from either source, the applicant must show that funding is warranted and worthwhile. He suggested that residents contact their State legislators to request participation in a capital outlay project or contacting the Terrebonne Levee & Conservation District for possible funding.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, “THAT, the Public Services Committee grant Mr. Voisin an additional two minutes to conclude his comments.”

The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted.

Mr. F. Voisin inquired about Administration’s ability to address drainage concerns in Bayou Dularge and the time frame in which the matter will be addressed.

Parish Manager Barry Blackwell stated that Administration will focus on determining financial resources to address drainage concerns in the Bayou Dularge area, but noted the limited sources of funding. He added that the Morganza to the Gulf of Mexico Comprehensive Hurricane Protection Levee System might alleviate some of the concerns of the residents.

The Chairwoman recognized the following persons who expressed their concern relative to flooding in the Bayou Dularge area and the need to construct a levee:

- Mr. Herbert Theriot of 1671 Bayou Dularge Road, Theriot, LA
- Mr. Charles Madere of 1635 Bayou Dularge Road, Theriot, LA
- Ms. Mary Naquin of 1665 Bayou Dularge Road, Theriot, LA
- Mr. Bobby Chauvin of 1545 Bayou Dularge Road, Theriot, LA

The Chairwoman recognized Mrs. Claire Champagne of 1681 Bayou Dularge who offered comments regarding flooding in the Bayou Dularge area.

Mr. P. Rhodes moved, seconded by Mr. H. Lapeyre, “THAT, the Public Services Committee allow Mrs. Claire Champagne additional time to conclude her comments.”
The Chairwoman called for the vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted.

Ms. Champagne concluded her comments relative to flooding in the Bayou Dularge area and the damage her home has received due to the non-existence of a levee in the area (See Attachment A).

The Chairwoman recognized the following people who also expressed their concern relative to flooding in the Bayou Dularge area:

- Ms. Mary Olivier of 1767 Bayou Dularge Road, Theriot, LA
- Mr. Robert Marmande of 1637 Bayou Dularge Road, Theriot, LA
- Mr. Rene’ Marmande of 1637 Bayou Dularge Road, Theriot, LA

Committee Member C. Voisin requested that Administration work expeditiously with the Council to determine funding for the Bayou Dularge area and requested that residents submit pictures of any flood damage.

Discussion ensued relative to flooding throughout Terrebonne Parish.

Parish President Don Schwab suggested that the residents contact their local State legislative and congressional delegations on a daily basis to emphasize the seriousness of Terrebonne Parish’s coastal issues.

The Chairwoman recognized Mr. B. Marmande who suggested that the Parish consider the re-issuance of bonds for the Bayou Dularge area.

OFFERED BY: Mr. C. Voisin.
SECONDED BY: Mr. A. Tillman & Mr. H. Lapeyre.

RESOLUTION NO. 04-160

A resolution accepting a petition from the residents of Bayou Dularge and directing Administration to formulate the appropriate corrective action.

WHEREAS, the Terrebonne Parish received a petition from the residents and property owners in the Bayou Dularge Community requesting assistance from the Terrebonne Parish Consolidated Government in constructing a small levee from Falgout Canal to Marmande Canal to better protect their families, homes and property, and

WHEREAS, providing proper drainage and protecting the lives and property of its citizens is one of the main responsibilities of the Terrebonne Parish Consolidated Government, and

WHEREAS, the Council feels that there are means for possible intergovernmental agreements with other agencies to possibly construct the necessary levees.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the petition from the residents of the Bayou Dularge Community to construct a small drainage protection levee from Falgout Canal to the Marmande Canal and that this matter be referred to the Parish Administration to evaluate and determine the best method to comply with
the request of the local citizens and that, if necessary, the matter be brought back to the Council for further action, and

BE IT FURTHER RESOLVED that a letter to the Congressional Delegation, signed by all members of the Council and the Parish President, be submitted explaining the need for federal funds to address drainage issues and that the petition from the residents of Bayou Dularge be attached to said letter.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 27th day of April, 2004.

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Mr. P. Rhodes moved, seconded by Ms. K. Elfert, “THAT, there being no further business to come before the Public Services Committee, the meeting be adjourned.”

The Chairwoman called for the vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted and the meeting was adjourned at 7:01 p.m.

Christa M. Duplantis, Chairwoman

Suzette Thomas, Minute Clerk

Ms. C. Duplantis moved, seconded by Mr. P. Lambert, “THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 4/27/04.”

The Chairman called for a vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, C. Duplantis, H. Lapeyre, and C. Voisin

NAYS: None

ABSTAINING: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.
The Chairman called for a report on the Community Development & Planning Committee meeting held on 4/27/04, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 5/12/04 and 5/26/04, rendered the following:

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

APRIL 27, 2004

The Chairman, Alvin Tillman, called the Community Development & Planning Committee meeting to order at 7:08 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Minute Clerk Suzette Thomas and the Pledge of Allegiance led by Mr. Pete Lambert. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, P. Lambert, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

OFFERED BY: Mr. P. Rhodes.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-161

A resolution authorizing the Parish President to sign the Weatherization Assistance Program contract between Louisiana Housing Finance Agency and Terrebonne Parish Consolidated Government.

WHEREAS, the Louisiana Housing Finance Agency has been authorized to administer the FY 2004 Weatherization Program, and

WHEREAS, the contract amount of $125,161.00 is available to the Terrebonne Parish Consolidated Government for a period of April 1, 2004 through March 31, 2005.

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Don Schwab, to sign and submit the Weatherization Assistance Program Contract.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Don Schwab, to sign and submit any other documents necessary between Terrebonne Parish Consolidated Government and the Louisiana Housing Finance Agency for the enactment of this contract.

THERE WAS RECORDED:

NAYS: None.
ABSTAINING: None.
ABSENT: None.

The Chairman declared the resolution adopted on this, the 27th day of April, 2004.

OFFERED BY: Mr. W. Thibodeaux.
SECONDED BY: Mr. P. Rhodes.

RESOLUTION NO. 04-162

A Resolution giving Notice of Intent to adopt an Ordinance to amend the Urban Services District Zoning Map to rezone Lot 1 of Block 123 of Elizabethtown and
situated at 401 Morgan Street from R-1 (Single-Family Residential) to R-2 (Two-Family Residential).

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee) on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an Ordinance to amend the Urban Services District Map to rezone Lot 1 of Block 123 of Elizabethtown and situated at 401 Morgan Street from R-1 (Single-Family Residential) to R-2 (Two-Family Residential); and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, May 26, 2004.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 27th day of April, 2004.

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OFFERED BY: Mr. P. Lambert.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-163

A RESOLUTION TO AUTHORIZE THE DESIGN AND GENERAL CONTRACTING SERVICES OF SEVERAL HOMES AS RECOMMENDED BY AEGIS INNOVATIVE SOLUTIONS, LLC, UNDER THE PROVISIONS AND CONDITIONS OF THE FEMA GRANT (PROJECT #HMGP 1437-109-0001) IN TERREBONNE PARISH; TO AUTHORIZE AEGIS INNOVATIVE SOLUTIONS, LLC TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROCEED WITH THE PROPERTIES; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

WHEREAS, the Parish application for federal assistance to mitigate target repetitive loss structures in Terrebonne Parish was been approved by FEMA on August 29, 2003, for a period of three (3) years, beginning August 29, 2003 and ending August 28, 2006, and

WHEREAS, Aegis Innovative Solutions, LLC ("Aegis") agrees to perform on behalf of the Terrebonne Parish Consolidated Government ("Parish"), as the designer and general contractor to design, repair, elevate, upgrade, refinish or otherwise renovate existing residential structures participating in the FEMA program, and

WHEREAS, the scope of design and general contracting services, costs and payment methods shall be developed under a separate agreement between homeowner and Aegis, and

WHEREAS, the homeowner/Aegis agreements will be made available to the Parish for obligation of grant funds and participation by each homeowner in the program, and

WHEREAS, payments of grant funds to Aegis as the designer and general contractor by the Parish under these separate agreements will be authorized by the Homeowner or Parish representative, and

WHEREAS, the following structures are submitted by recommendation from Aegis to proceed with the “Design and General Contracting Services”:

- Billy Picou, 119 Montegut Street, Montegut, LA
NOW THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government that Aegis be authorized to negotiate and to execute all documents necessary to proceed with the “Design and General Contracting Services” of the specifically named structures.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the resolution adopted on this, the 27th day of April, 2004.

Planning & Zoning Director Patrick Gordon stated that Mr. Jeff Heaton of Aegis Innovative Solutions, Inc. will be present at Wednesday’s Council meeting to answer any questions.

OFFERED BY: Mr. H. Lapeyre.
SECONDED BY: Mr. P. Rhodes and Mr. C. Voisin.

RESOLUTION NO. 04-164

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street, servitudes, utilities, gas, and rights-of-way for “THERIOT SUBDIVISION” and to incorporate THE EXTENSION OF “HOUMAS DRIVE” into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to dedicate and accept the maintenance/operation of the street, servitudes, utilities, gas, and rights-of-way for “THERIOT SUBDIVISION”, and to incorporate THE EXTENSION OF “HOUMAS DRIVE” into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, May 12, 2004.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  C. Voisin.

The Chairman declared the resolution adopted on this, the 27th day of April, 2004.
Planning & Zoning Director Patrick Gordon stated that the aforementioned subdivision has been completed and there is no punch list. He added that the Houma-Terrebonne Regional Planning Commission has granted final approval of the subdivision.

OFFERED BY: Mr. H. Lapeyre & Mr. W. Thibodeaux.
SECONDED BY: Ms. K. Elfert.

RESOLUTION NO. 04-165

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street, servitudes, utilities, gas, and rights-of-way for “COREY HEIGHTS WEST, PHASE C” and to incorporate “WILLIAM HENRY LANE”, “BRANDON REED LANE”, AND THE EXTENSION OF “JOHN EDWARD LANE” into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to dedicate and accept the maintenance/operation of the street, servitudes, utilities, gas, and rights-of-way for “COREY HEIGHTS WEST, PHASE C”, and to incorporate “WILLIAM HENRY LANE”, “BRANDON REED LANE”, AND THE EXTENSION OF “JOHN EDWARD LANE” into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, May 12, 2004.

THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairman declared the resolution adopted on this, the 27th day of April, 2004.

Planning & Zoning Director Patrick Gordon stated that everything is in order for the aforementioned subdivision.

Ms. K. Elfert moved, seconded by Mr. H. Lapeyre, “THAT, the Community Development & Planning Committee, with the agreement of Administration, rename the Parish Engineering Building as the Robert S. ‘Bob’ Jones Engineering Building in his memory.” (**MOTION ADOPTED AFTER BRIEF COMMENTS)

Committee Member P. Rhodes stated that Lee Whitney Signs has agreed to donate a sign for the engineering building.

The Chairman called for the vote on the motion offered by Ms. K. Elfert.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.
ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairwoman recognized Arts & Humanities Executive Director Diane McCandless who presented information relative to the establishment of a Cajun Festival in Houma-Terrebonne, and requested that the Council review the information at a later time.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, “THAT, the Community Development & Planning Committee retain the matter relative to the establishment of a Cajun Festival in Houma-Terrebonne for two weeks, and accept information from the Louisiana Trinity Festival Committee.” (**MOTION ADOPTED AFTER DISCUSSION)

Upon questioning, Ms. McCandless stated that, at this time, it does not appear that the Cajun Festival would conflict with any events scheduled for April 8, 9, and 10, 2005.

**The Chairman called for the vote on the motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Bucks Attorney Billy Stark who requested consideration of funding for the Bayou Bucks. Mr. Stark requested that Administration consider taking less revenue of the concessions sold at the Bayou Bucks games.

The Chairman recognized Bayou Bucks General Manager Travis Carrell who requested that Administration take less income from the Bayou Bucks, and noted several benefits of the Bayou Bucks being located in Terrebonne Parish. He noted that Terrebonne Parish is advertised and highlighted through programming of the Bayou Bucks home games on Guarantee Broadcasting, and emphasized that money generated from fans of the Bayou Bucks stays in Terrebonne Parish. Mr. Carrel requested that Administration consider granting revenue concessions to the Bayou Bucks as part of the contract negotiation process with the Houma-Terrebonne Civic Center.

Lengthy discussion transpired relative to increasing the Bayou Bucks attendance, possible concession in revenue, and corporate sponsorship.

Committee Member K. Elfert requested a copy of the Bayou Bucks profit/loss statement.

Additional debate ensued relative to granting the requested concessions to the Bayou Bucks.

Upon questioning, Mr. Carrell noted several permanent fixtures that the Bayou Bucks purchased to make the Civic Center conducive for sporting events.

Civic Center Director Eric Edwards explained the economic impact of having the Bayou Bucks in Terrebonne Parish and the possibility of booking other events, should the Bayou Bucks decide to leave Terrebonne Parish.
Parish Manager Barry Blackwell explained the Administration’s position in offering the proposed concessions to the Bayou Bucks. He added that the Parish has offered to contribute $14,000.00 for joint marketing of Terrebonne Parish and the Bayou Bucks.

Upon questioning, Comptroller Jamie Elfert stated that the increase in revenue for the Civic Center between 2001 and 2002 might be attributed to it taking over food & beverage at the Civic Center, and increased insurance premiums.

The Chairman recognized Bayou Bucks Head Coach Jack Phillip who expressed his appreciation of being able to play arena football in Terrebonne Parish.

The Chairman recognized Dr. Rory White who expressed his support of keeping the Bayou Bucks in Terrebonne Parish and noted the various community services the Bucks provide.

Committee Member H. Lapeyre suggested that a clause be added to the proposed Bayou Bucks contract to approve the $39,000.00 concession with the stipulation that should revenue increase for the Bayou Bucks, the concession would be paid back to the Parish Government.

Additional discussion ensued relative to attendance at the Bayou Bucks games and the dates available for games.

Upon questioning, Civic Center Business Manager Christopher Moore stated that Parish has set aside 20 event days in which non-profit organizations may receive a reduced rate for use of the Civic Center.

Committee Member W. Thibodeaux requested information relative to the amount of money the Parish Government spends on Mardi Gras activities.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, “THAT, the Community Development & Planning Committee request Administration to reconsider granting $39,000.00 of revenue concession to the Bayou Bucks.” (**MOTION AMENDED AFTER DISCUSSION)

Mr. Carrell explained the marketing effort of advertising the Bayou Bucks on television and the print medium.

Mr. C. Voisin offered an amendment, seconded by Mr. H. Lapeyre, “THAT, the Community Development & Planning Committee request Administration to reconsider granting $39,000.00 of revenue concession to the Bayou Bucks with the stipulation that a minimum of $10,000.00 be used to market the Bayou Bucks and Terrebonne Parish.” (**MOTION ADOPTED AFTER BRIEF COMMENTS)

Committee Member C. Voisin requested that Administration consider including a few Council Members and representatives of the Bayou Bucks in the meeting to discuss the Bayou Bucks contract at the Houma-Terrebonne Civic Center.

The Chairman called for the vote on the amended motion offered by Mr. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:


ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the amended motion adopted.

Ms. C. Duplantis moved, seconded unanimously, “THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned.”

The Chairman called for the vote on the motion offered by Ms. C. Duplantis.
UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted and the meeting was adjourned at 9:03 p.m.

Alvin Tillman, Chairman
Suzette Thomas Minute Clerk

Mr. A. Tillman moved, seconded by Mr. H. Lapeyre, “THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 4/27/04.”

The Chairman called for a vote on the motion offered by Mr. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

YEAS:  P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, C. Duplantis, H. Lapeyre, and C. Voisin

NAYS:  None

ABSTAINING:  None

ABSENT:  T. Cavalier

The Chairman declared the motion adopted.

The Chairman called for a report on the Natural Resources & Coastal Restoration Committee meeting held on 4/27/04, whereupon the Committee Chairman stated that ratification of the minutes calls public hearings on 5/26/04, then rendered the following:

NATURAL RESOURCES & COASTAL RESTORATION COMMITTEE

APRIL 27, 2004

The Chairman, Harold Lapeyre, called the Natural Resources & Coastal Restoration Committee meeting to order at 9:07 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. A. Tillman and the Pledge of Allegiance led by Mr. P. Rhodes. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, P. Lambert, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

The Chairman read aloud a letter from Coastal Zone Management & Restoration Advisory Committee Chairman Nolan Bergeron (See Attachment A) emphasizing the need for work on coastal erosion.

Mr. C. Voisin moved, seconded by Mr. P. Lambert, “THAT, the Natural Resources & Coastal Restoration Committee introduce an ordinance to establish a fee schedule for Coastal Impact Permits to be used to fund the Coastal Restoration Department, and call a public hearing on said matter on May 26, 2004 at 6:30 p.m.” (**MOTION ADOPTED AFTER DISCUSSION)

Public Works Manager Al Levron stated that Paragraph 12C includes a category for oil, gas, and seismic activities outside of the coastal zone which was previously regulated, and it is his understanding that Administration desires to continue regulating those activities. He noted
that all other activities not listed in the coastal zone and not otherwise regulated would pay a flat fee of $500.00, as is currently being paid. Mr. Levron continued that the proposed fee structure would be dependent upon the number of permits issued. He added, that, if sufficient revenue is not generated, the budget for said department will need to be adjusted.

Parish Manager Barry Blackwell stated that upon initial establishment of the staffing for the aforementioned department, Administration intends to under staff the department and only staff the main positions to ensure that there is some amount of discretionary funds available should the permits decline. He added that if the funds are not generated, Administration would have to make cuts.

Committee Members C. Voisin and P. Rhodes clarified the calculation of assessing coastal permit fees based upon acreage and value.

Mr. Levron requested that Administration be allowed to clarify the coastal permit fees and asked that the public hearing on the aforementioned matter be called. Upon additional questioning, he explained that the Department of Natural Resources and the U. S. Army Corps of Engineers have inspectors in the area who make routine inspections based upon complaints. He continued that the Parish’s Coastal Restoration Department would conduct inspections in accordance with “consistency” compliance issues. Mr. Levron added that the Coastal Zone Manager would be moved from the Planning & Zoning Department to the proposed Coastal Restoration Department. He explained that that the manager has certain regulatory functions as it relates to local permits as required by Terrebonne Parish’s Coastal Zone Management ordinance.

**The Chairman called for the vote on the motion offered by Mr. C. Voisin.**

**UPON ROLL CALL THERE WAS RECORDED:**


**NAYS:**  None.

**ABSTAINING:**  None.

**ABSENT:**  None.

The Chairman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. C. Voisin, “THAT, the Natural Resources & Coastal Restoration Committee introduce an ordinance to amend the organizational chart of the Parish Government to include the Department of Coastal Restoration and to amend the Waters Group’s Compensation and Classification Plan for Parish Employees to include the position of Director of Coastal Restoration Department and call a public hearing on said matter on May 26, 2004 at 6:30 p.m.” (**MOTION ADOPTED AFTER DISCUSSION)**

Discussion ensued relative to the job description for the aforementioned position.

Parish Manager Barry Blackwell stated that the Grade 15 on the job description is an error and should be a Grade 29. He continued that Administration will have to locate the best qualified candidate, and added that the proposed job description is not applicable. He noted that the proposed ordinance contains a broad description of the job function and responsibility.

Public Works Director Al Levron confirmed that the actual Grade Level is 29.

Committee Member W. Thibodeaux requested that the original budget and backup for said position be included in the backup information when the ordinance is ready for adoption.

Parish Attorney Richard Breaux stated that a change in the job description would be considered a substantial change because the position has not been identified at this time. He stated that the Grade 29 gives some identification of the job title.
Mr. Levron suggested that the job description in the agenda packet should be removed, and noted that the description is not germane to the discussion at hand. He continued that, in the past, the Council has approved job functions and a specific job description was not. He added that the Parish President would bring it to the Council, and if the Council was satisfied with the candidate, the position was ratified.

Upon additional questioning, Mr. Blackwell stated that Administration would work with the existing staff personnel for the Coastal Restoration Department, and would advertise the position. He continued that the Coastal Zone Manager would be moved into the proposed department.

Discussion transpired relative to selecting the best qualified person for the position.

Upon additional questioning, Mr. Blackwell stated that all funds collected through coastal permit fees would be dedicated to the Office of Coastal Restoration.

**The Chairman called for the vote on the motion offered by Mr. P. Lambert.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted.

The Chairman recognized Mr. Cyrus Sevin who requested that the committee consider adopting a resolution which would support legislation being introduced by Representative Damon Baldone regarding “duck hunting”. Mr. Sevin requested copies of the resolution for distribution.

Mr. P. Rhodes moved, seconded by Mr. C. Voisin, “THAT, the Natural Resources & Coastal Restoration Committee retain the matter relative to ‘duck hunting’ preserves in committee for further evaluation.” (**MOTION AMENDED AFTER DISCUSSION)

Parish President Don Schwab stated that he was uncertain as to when Representative Damon Baldone intends to introduce the hunting preserve legislation, and noted that a delaying action may not be feasible.

**Mr. P. Rhodes offered an amendment, seconded by Mr. C. Voisin, “THAT, the Council Clerk prepare a resolution supporting legislation which would authorize the establishment of hunting preserves in any area of the state and provide that the establishment of preserves in the coastal zone shall not be prohibited for consideration at Wednesday’s Council meeting, and submission to the Governor.”

The Chairman called for the vote on the amended motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the amended motion adopted.
Mr. P. Rhodes moved, seconded by Mr. P. Lambert, “THAT, there being no further business to come before the Natural Resources and Coastal Restoration Committee, the meeting be adjourned.”

The Chairman called for the vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 9:55 p.m.

Harold Lapeyre, Chairman

Suzette Thomas, Minute Clerk

Mr. H. Lapeyre moved, seconded by Ms. C. Duplantis, “THAT, the Council accept and ratify the minutes of the Natural Resources & Coastal Restoration Committee meeting held on 4/27/04.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, C. Duplantis, H. Lapeyre, and C. Voisin

NAYS: None

ABSTAINING: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. H. Lapeyre.
SECONDED BY: Mr. P. Rhodes.

RESOLUTION NO. 04-166

A resolution to offer support of House Bill No. 1573, which provides for the taking of pen-raised mallard ducks in the coastal zone.

WHEREAS, duck hunting is one of the most popular fall sports for literally thousands of Terrebonne Parish residents and visitors, and

WHEREAS, although the coastal marshes of South Louisiana are teaming with various types of water fowl, every effort should be made to practice conservation in the taking of wildlife, and

WHEREAS, House Bill 1573, authored by Representative Damon Baldone, will amend current state statutes and authorize hunting preserves to be established in any area of the state, and
WHEREAS, legislation such as this will allow a greater number of ducks to be harvested each year.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that House Bill 1573, as authored and presented by Representative Damon Baldone, be supported by this governing body and that a copy of this resolution be sent to Gov. Kathleen Blanco and all members of Terrebonne Parish’s Legislative Delegation so that they may know the feelings of the Council on this matter.

THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  T. Cavalier.

The Chairman declared the resolution adopted on this, the 28th day of April, 2004.

Mr. P. Rhodes moved, seconded by Mr. H. Lapeyre, “THAT, the Council approve the following street light list:

INSTALL ONE 175-WATT STREET LIGHT ON SHORT POLE AT 579 BAYOU DULARGE RD. (CONTACT PERSON: ROGER DALE DEHART); ROAD LIGHTING DISTRICT NO. 10; SLECA; ALVIN TILLMAN.

INSTALL FOUR (4) STREET LIGHTS AT THE NATIONAL GUARD ARMORY ON WILLIAMS BOULEVARD (CONTACT SGT. OCKMAN – 876-8998); URBAN SERVICES DISTRICT; TPCG UTILITIES; CHRISTA DUPLANTIS.”

The Chairman called for a vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.

ABSENT:  None.

The Chairman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. H. Lapeyre, “THAT, the Council postpone the appointment to the Bayou Blue Fire Protection District Board until an individual that could represent that board applies for the vacancy.”

The Chairman called for a vote on the motion offered by Ms. T. Cavalier.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None.

ABSTAINING:  None.
ABSENT: None

The Chairman declared the motion adopted.

Mr. P. Rhodes moved, seconded by Mr. P. Lambert, “THAT, the Council open
nominations for two weeks for the vacancy on the Recreation District No. 7 Board.”

The Chairman called for a vote on the motion offered by Mr. P. Rhodes.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C.
Duplantis, H. Lapeyre, and C. Voisin,

NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

Ms. K. Elfert moved, seconded by Mr. H. Lapeyre, “THAT, the Council re-appoint Mr.
Bobby Arceneaux to another term on the Recreation District No. 23 Board.”

The Chairman called for a vote on the motion offered by Ms. K. Elfert.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C.
Duplantis, H. Lapeyre, and C. Voisin,

NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. P. Rhodes and Mr. W. Thibodeaux, “THAT, the Council open nominations for two weeks for the three expired terms of Mr. Daniel Turner (NAACP), Mrs. Phyllis Toups (Membership), and Mr. Mike Allemand (Chamber of Commerce) on the TARC Advisory Board.”

The Chairman called for a vote on the motion offered by Ms. C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C.
Duplantis, H. Lapeyre, and C. Voisin,

NAYS: None

ABSTAINING: None

ABSENT: None

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. P. Rhodes and Ms. T. Cavalier, “THAT, the Council hold nominations open for ninety days for the expired terms of Dr. Guy Wagenspack,
Mr. Milo Meacham, Mr. O’Neil Malbrough, Mr. Mike Bergeron, and Mr. Mike Voisin on the Hospital Service District No. 1 Board.”

The Chairman called for a vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

YEAS:  P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C. Duplantis, H. Lapeyre, and C. Voisin,

NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted.

Mr. W. Thibodeaux moved, seconded by Mr. H. Lapeyre and Mr. P. Rhodes, “THAT, the Council introduce an ordinance to establish a ‘Drug-Free Zone’ around the House of the Lord Church on Hobson Street and call a public hearing on said matter on May 26, 2004 at 6:30 p.m.” *(MOTION VOTED ON AFTER BRIEF DISCUSSION.)*

Councilman W. Thibodeaux stated that he has scheduled a community meeting on 5/20/04 at the House of the Lord Church at 523 Hobson St. at 6:30 p.m. to discuss this matter.

*The Chairman called for a vote on the motion offered by Mr. W. Thibodeaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS:  P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier, C. Duplantis, H. Lapeyre, and C. Voisin,

NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted.

Council Clerk P. Labat reminded everyone of the 5-K Run for Excellence on May 8, 2004 in Downtown Houma.

Mr. W. Thibodeaux moved, seconded by Mr. P. Rhodes, “THAT, there being no further business to come before the Council, the meeting be adjourned.”

The Chairman called for a vote on the motion offered by Mr. W. Thibodeaux.

UPON ROLL CALL THERE WAS RECORDED:


NAYS:  None

ABSTAINING:  None

ABSENT:  None

The Chairman declared the motion adopted and the meeting adjourned at 9:02 p.m.

VENITA H. WHITNEY  
MINUTE CLERK
ATTEST:

/S/ CLAYTON J. VOISIN
CLAYTON J. VOISIN, CHAIRMAN
TERREBONNE PARISH COUNCIL

/S/ PAUL A. LABAT
PAUL A. LABAT, COUNCIL CLERK
TERREBONNE PARISH COUNCIL