

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**TERREBONNE PARISH COUNCIL**  
**IN REGULAR SESSION**  
**SEPTEMBER 14, 2005**

The Chairman, Mr. P. Rhodes, called the meeting to order at 6:01 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, offered by Councilwoman C. Duplantis, Councilwoman K. Elfert led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: C. Duplantis, H. Lapeyre, C. Voisin, P. Rhodes, W. Thibodeaux, K. Elfert, and T. Cavalier. A. Tillman was recorded as joining the proceedings at 6:31 p.m. P. Lambert was recorded as absent. A quorum was declared present.

Chairman P. Rhodes read a memo from Councilman P. Lambert explaining his absence due to his employer needing him to work longer hours to assist with restoring communication to residents as a result of Hurricane Katrina.

Ms. K. Elfert moved, seconded by Mr. H. Lapeyre, "THAT, the Council approve the minutes of the Regular Council Session held on 8/10/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert and A. Tillman

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Ms. K. Elfert, "THAT, the Council approve the Parish Bill List dated 9/12/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: W. Thibodeaux

ABSENT: P. Lambert and A. Tillman

The Chairman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Ms. K. Elfert, "THAT, the Council approve the Parish Manual Check List for July 2005."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert and A. Tillman

The Chairman declared the motion adopted.

The Chairman recognized Mr. Earl Brunet, Montegut resident, who expressed his concerns with the overpopulation of mosquitoes in Montegut and suggested that additional aerial spraying be done. He also expressed his concerns relative to a utility company that services Montegut possibly taking advantage of tree limb pickup because they had recently trimmed branches from wires and they just did it again and laid them on the side of the road for pickup by the Parish, for reimbursement by FEMA.

Ms. C. Duplantis moved, seconded by Ms. K. Elfert, "THAT, the Council extend Mr. Earl Brunet's time."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert and A. Tillman

The Chairman declared the motion adopted.

Mr. Earl Brunet continued his presentation regarding his concerns for overpopulation of mosquitoes and debris pickup in Montegut.

Upon questioning, Parish President D. Schwab stated that storm debris is being picked up and approximately 23 thousand cubic yards of trash had been picked up thus far since the storm. He stated that Utilities Director T. Bourg anticipates that all debris will be picked up in the Parish approximately within ten days.

The Chairman recognized Mrs. Janet Nickerson, Bayou Towers resident, who stated that she was formerly a member of the Recreation District No. 11 Board and expressed her concerns relative to false accusations made against her and the problems she and her family have encountered as a result. She stated that she volunteered her time for 17 years coordinating an Easter egg hunt for children at Scott Lane Park.

At this time, 6:31 p.m., Councilman A. Tillman was recorded as joining the proceedings.

The Chairman called for a report on the Policy, Procedure, & Legal Committee meeting held on 9/12/05, whereupon the Committee Chairwoman rendered the following:

### **POLICY, PROCEDURE, & LEGAL COMMITTEE**

**SEPTEMBER 12, 2005**

The Chairwoman, Kim Elfert, called the Policy, Procedure, & Legal Committee meeting to order at 5:34 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. H. Lapeyre and the Pledge of Allegiance led by Mr. W. Thibodeaux. Upon roll call,

Committee Members recorded as present were: C. Duplantis, K. Elfert, H. Lapeyre, P. Rhodes, W. Thibodeaux, and C. Voisin. Committee Member T. Cavalier and P. Lambert were recorded as entering the proceedings at 5:36 p. m. and 5:37 p. m., respectively. Committee Member A. Tillman was recorded as absent. A quorum was declared present.

The Chairwoman announced that Committee Member T. Cavalier would arrive later in the proceedings and that Administration has requested postponement of Item No. 1 (RESOLUTION: Approving a contract with the Terrebonne Parish Public School System relative to the expansion of After School Programs within Terrebonne Parish).

Committee Member T. Cavalier was recorded as entering the proceedings at this time.

Mr. H. Lapeyre moved, seconded by Ms. C. Duplantis, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to contracting with the Terrebonne Parish Public School System relative to the expansion of After School Programs within Terrebonne Parish in committee for further evaluation." (\*\*MOTION ADOPTED AFTER DISCUSSION)

Committee Member P. Lambert was recorded as entering the proceedings at this time.

In response to questioning, Parish Manager Barry Blackwell stated that Administration has not met with Officer Bobbie O'Bryan regarding the imposition of resources within the Houma Police Department.

\*\*The Chairwoman called for the vote on the motion offered by Mr. H. Lapeyre.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the motion adopted.

Mr. W. Thibodeaux moved, seconded by Mr. H. Lapeyre, "THAT, the Policy, Procedure, & Legal Committee, pursuant to R.S. 42.5.1, convene into executive session to discuss the lawsuit titled, 'SUDO Properties, et al vs. TPCG', and invite into said session Parish President Don Schwab, Parish Attorney Courtney Alcock, Assistant Parish Attorney Greg Schwab, Parish Manager Barry Blackwell, Risk Management Director Janell Brierly, and Claims Adjuster Clay Naquin."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. W. Thibodeaux, "THAT, the Policy, Procedure, & Legal Committee reconvene into the regular order of business as per the written agenda."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, C. Duplantis, K. Elfert, H. Lapeyre, and W. Thibodeaux.

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert, P. Rhodes, A. Tillman, and C. Voisin.

The Chairwoman declared the motion adopted.

Mr. W. Thibodeaux moved, seconded by Ms. C. Duplantis, "THAT, the Policy, Procedure, & Legal Committee concur with the recommendation of the Legal Advisor with respect to the lawsuit titled, 'SUDO Properties, et al vs. TPCG'."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the motion adopted.

Ms. C. Duplantis moved, seconded by Mr. P. Rhodes, "THAT, there being no further business to come before the Policy, Procedure, & Legal Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the motion adopted and the meeting was adjourned at 6:41 p.m.

Kim Elfert, Chairwoman

Suzette Thomas, Minute Clerk

Ms. K. Elfert moved, seconded by Ms. C. Duplantis, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 9/12/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman called for a report on the Budget & Finance Committee meeting held on 9/12/05, whereupon the Committee Chairman, noting that ratification of the minutes calls a public hearing on 9/28/05, rendered the following:

### **BUDGET & FINANCE COMMITTEE**

**SEPTEMBER 12, 2005**

The Chairman, Wayne Thibodeaux, called the Budget & Finance Committee meeting to order at 6:41 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. P. Rhodes and the Pledge of Allegiance led by Mr. C. Voisin. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, P. Lambert, H. Lapeyre, P. Rhodes, W. Thibodeaux, and C. Voisin. Committee Member A. Tillman was recorded as entering the proceedings at 6:54 p. m. A quorum was declared present.

Committee Member K. Elfert was recorded as exiting the proceedings at 6:43 p. m.

The Chairman announced that Administration has requested postponement of the matter relative to programs and services offered by the Health Unit/Mental Health.

Mr. P. Rhodes moved, seconded by Mr. C. Voisin, "THAT, the Budget & Finance Committee retain the matter relative to programs and services offered by the Health Unit/Mental Health Unit in committee."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Elfert and A. Tillman.

The Chairman declared the motion adopted.

OFFERED BY: Mr. H. Lapeyre.

SECONDED BY: Ms. T. Cavalier.

### **RESOLUTION NO. 05-317**

WHEREAS, the Terrebonne Parish Consolidated Government, under an emergency declaration, opened a shelter for the housing of New Orleans Sheriff's personnel evacuees of Hurricane Katrina, and

WHEREAS, under the declaration of emergency, the shelter was leased with the Evergreen Associates, Inc., P.O. Box 481, Houma, LA 70361 at the location of 4694 West Main Street, Houma, LA 70364, and

WHEREAS, a 30-day lease with 15-day options as needed was negotiated with a cost of \$7,500 per month, plus utilities, phone and janitorial reimbursements, which may be reimbursed by FEMA under the declaration of emergency for the State of Louisiana, and

WHEREAS, the Terrebonne Parish Consolidated Government shall provide minimum required insurance as set forth by policy.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President be authorized to lease with Evergreen Associates, Inc., in the amount of \$7,500.00 per month for the use of the Evergreen Cajun Center located at 4694 West Main Street, Houma, Louisiana, for use by New Orleans evacuees of Hurricane Katrina.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Elfert and A. Tillman.

The Chairman declared the resolution adopted on this, the 12<sup>th</sup> day of September, 2005.

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Parish Manager Barry Blackwell stated that transition of moving the New Orleans Sheriff's Office personnel from the Evergreen Cajun Center to First Baptist Church should commence by the end of the month. He added that the Administration agreed to pay the Evergreen Cajun Center an amount equal to \$7,500.00 for use of the center, janitorial personnel, and 24-hour staffing, and continued that the cost for providing shelter at the center is 100% reimbursable. In response to questioning, he explained that there are 22 displaced Terrebonne Parish residents housed at First Baptist Church and approximately 40 to 50 residents from the New Orleans area. Mr. Blackwell added that the New Orleans residents would be moved to the Civic Center in order to accommodate the Sheriff's Office. Upon additional questioning, he stated that Administration would work with First Baptist Church regarding reimbursement options from the Federal Government.

Committee Member H. Lapeyre requested that the Civic Center Director contact the lawn care provider to request that the grass be cut, and that the fallen sign and trash be picked up.

In response to additional questioning, Mr. Blackwell stated that residents from New Orleans are being sheltered at the Bayou Black Gym (81), First Baptist Church (60-70), the Evergreen Cajun Center (41), and the Civic Center (413).

Mr. H. Lapeyre moved, seconded by Mr. P. Rhodes, "THAT, the Budget & Finance Committee introduce an ordinance to levy special taxes for the Year 2005 on all property situated within the boundaries of the following Parishwide or special districts in the Parish of Terrebonne subject to taxation and assessment under the Louisiana Constitution of 1974:

- A. Drainage – 1.23 mills (Bonds)  
7.13 mills (O & M)
- B. Road and Bridge – 1.18 mills (Bonds)
- C. Fire District No. 8 – 10.52 mills (O & M)
- D. City Alimony Tax – 6.75 mills  
City Fire Protection – 5.08 mills  
City Police Protection – 5.08 mills
- F. Parish Alimony:  
Inside City – 1.55 mills  
Outside City – 3.04 mills
- G. Terrebonne Juvenile Detention:  
Special 20-year - .98 mills

- Other - .96 mills
- H. Terrebonne Health Unit – 1.66 mills
- I. Recreation – 2.16 mills
- J. Retarded Citizens – 5.20 mills
- K. Sanitation – 11.21 mills
- L. Mental Health - .42 mills
- M. Council on Aging – 7.50 mills
- N. Road Lighting District No. 1 – 5.90 mills
- O. Road Lighting District No. 2 - .90 mills
- P. Road Lighting District No. 3A – 5.40 mills
- Q. Road Lighting District No. 4 – 4.10 mills
- R. Road Lighting District No. 5 – 5.00 mills
- S. Road Lighting District No. 6 – 4.50 mills
- T. Road Lighting District No. 7 – 4.00 mills
- U. Road Lighting District No. 8 – 2.50 mills
- V. Road Lighting District No. 9 – 2.00 mills
- W. Road Lighting District No. 10 – 5.60 mills
- X. Road District No. 6 O & M - .81 mills

and call a public hearing on said matter on September 28, 2005 at 6:30 p. m.” (\*\*MOTION ADOPTED AFTER DISCUSSION)

Comptroller Jamie Elfert explained that Administration has taken advantage of the maximum millages allowable, and noted that a revised millage schedule was submitted prior to the meeting. She continued that Administration is taking advantage of the Public Safety and General Fund – Parish Alimony Tax within the City Limits, which would be dedicated to the Public Safety Fund.

Committee Member A. Tillman was recorded as entering the proceedings at this time.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Elfert.

The Chairman declared the motion adopted.

Mr. P. Rhodes moved, seconded by Mr. C. Voisin, “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:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Elfert.

The Chairman declared the motion adopted and the meeting was adjourned at 6:55 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 Budget & Finance Committee meeting held on 9/12/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman called for a report on the Public Services Committee meeting held on 9/13/05, whereupon the Committee Chairman rendered the following:

#### **PUBLIC SERVICES COMMITTEE**

**SEPTEMBER 13, 2005**

The Chairman, Alvin Tillman, Sr., called the Public Services Committee meeting to order at 5:33 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Ms. K. Elfert and the Pledge of Allegiance led by Mr. C. Voisin. Upon roll call, Committee Members recorded as present were: C. Duplantis, K. Elfert, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. Committee Member T. Cavalier was recorded as entering the proceedings at 5:36 p. m. and Committee Member P. Lambert was recorded as absent. A quorum was declared present.

The Chairman announced that Committee Member P. Lambert was unable to attend this evening's committee meeting due to his being required to work extended business hours as a result of Hurricane Katrina.

OFFERED BY: Mr. H. Lapeyre.  
SECONDED BY: Ms. C. Duplantis.

#### **RESOLUTION NO. 05-318**

A resolution providing approval of Amendment No. 2 to the Engineering Agreement for Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A (Statewide Flood Control) Project, Terrebonne Parish, Louisiana

WHEREAS, the Terrebonne Parish Consolidated Government entered into an Engineering Agreement dated July 19, 2005, and Amended by Amendment No. 1, with T. Baker Smith, Inc., for the Project entitled Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A (Statewide Flood Control) Project, and

WHEREAS, the Terrebonne Parish Consolidated Government is desirous including provisions for wetland delineation and necessary permits for Phase 2 of this project, and

WHEREAS, the upset limit for permits needs to be increased to continue with the permitting effort for Phase 2 for this project, and

WHEREAS, this amendment will increase the Additional Services Section of this contract by an amount of \$8,000.00, and



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

WHEREAS, the TPCG is desirous of having these services continued so that there is a need to increase in the upset limits for these services, and

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. 2 to the Engineering Agreement for an increase of \$8,000.00 in Additional Services and authorizes Parish President Don Schwab to execute this Amendment No. 2 to the Engineering Agreement for Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A (Statewide Flood Control) Project, with T. Baker Smith, Inc., and

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

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The Chairman recognized Mr. Larry Dupre of T. Baker Smith & Son, Inc., who explained that aforementioned amendment provides for an increase in the original project estimate of \$7,500.00. He continued that due to the project being in jeopardy of losing State funding, it has been incorporated into one project. In response to questioning, Mr. Dupre explained the complexity of the aforementioned project and noted that a second permit would be required. He stated that the initial permit was for work being completed from Barrow Street to Polk Street and the second permit includes work from Polk Street to Ouiski Bayou.

Committee Member T. Cavalier was recorded as entering the proceeding at this time.

Mr. Dupre continued that an inspection with Administration is being scheduled for Friday and added that the full benefit of the aforementioned project would not be evident until such time as the project is completed. He noted that the State is providing \$6,300,000.00 in funding and the Parish is responsible for 10% of eligible construction costs.

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Ms. C. Duplantis.

#### RESOLUTION NO. 05-319

WHEREAS, the Terrebonne Parish Consolidated Government has submitted an application for funding of Agnes Street Drainage Improvements flood control project under the Statewide Flood Control Program, and

WHEREAS, the State's share of the project funds have been made available and the Terrebonne Parish Consolidated Government has available its local matching share of the project funds in an amount of not less than ten (10%) percent, and

WHEREAS, at the request of the Terrebonne Parish Consolidated Government, Engineering and Economic Planning Associates, LLC has prepared plans and specifications for said project, which plans and specifications are designated State Project No. 576-55-0018, and

WHEREAS, the Terrebonne Parish Consolidated Government has reviewed the final plans, specifications and cost estimate and accepts them as submitted and the Department of Transportation and Development has reviewed the final plans, specifications, and cost estimate and has approved them inasmuch as they comply with the requirements of the Statewide Flood Control Program, and

WHEREAS, all necessary servitudes, rights-of-ways, spoil disposal, right of ingress and egress and the means thereof have been acquired by the Terrebonne Parish Consolidated Government and the title thereto are valid and indefeasible, and

WHEREAS, the Terrebonne Parish Consolidated Government has obtained all necessary permits for the construction of this project, and

WHEREAS, the Terrebonne Parish Consolidated Government has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this project, and

WHEREAS, the Official Journal for the Terrebonne Parish Consolidated Government is "The Courier", whose mailing address is 3030 Barrow Street, Houma, Louisiana, 70360 and whose telephone number is 985-857-2210, and

WHEREAS, the Terrebonne Parish Consolidated Government desires to advertise for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the Terrebonne Parish Consolidated Government, and furnish engineering services during the progress of this work.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), in session assembled on this 13<sup>th</sup> day of September, 2005, that the Department of Transportation and Development be and hereby is requested to authorize the Terrebonne Parish Consolidated Government to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of Terrebonne Parish Consolidated Government, covering the aforesaid improvements; and,

BE IT FURTHER RESOLVED, that the Department of Transportation and Development be and hereby is assured that all necessary servitudes, right-of-ways, right of ingress and egress and the means thereof have been obtained by Terrebonne Parish Consolidated Government, and the titles thereto are valid and indefeasible and Terrebonne Parish Consolidated Government expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress and egress, and Terrebonne Parish Consolidated Government does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction.

BE IT RESOLVED, that the Department of Transportation and Development be and hereby is assured that all required permits have been obtained by Terrebonne Parish Consolidated Government.

BE IT RESOLVED, that the Department of Transportation and Development be and hereby is assured that Terrebonne Parish Consolidated Government has available its local matching funds in an amount of not less than ten (10%) percent of the total project cost to insure construction of this project.

BE IT RESOLVED, that Terrebonne Parish Consolidated Government will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocation and alterations made necessary by this project.

BE IT RESOLVED, that Terrebonne Parish Consolidated Government does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation and Development, and pay any judgment which may result from said suit as it relates to this project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

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Committee Member W. Thibodeaux inquired about the benefits of Administration acquiring any and all required Public Works permits from any state or federal agency for work in Terrebonne Parish during the current “relaxed” atmosphere as a result of Hurricane Katrina.

Public Works Director Al Levron explained that, to the extent that there are some emergency conditions that exist within the community, emergency permit procedures have been implemented by the U. S. Army Corps of Engineers and the Department of Natural Resources, Office of Coastal Restoration. He added that the emergency permits are limited to “true” emergencies as defined within the guidelines. In response to questioning relative to coastal damage as a result of Hurricane Katrina, he stated that the Department of Natural Resources has conducted a flyover flight, which indicates minimal damage and, basically, the barrier islands fared well. (NO ACTION TAKEN)

In response to the possible inclusion of Jeff Davis Street on the Road Maintenance Priority List, Public Works Operations Superintendent Perry Blanchard explained that the street is identified as a “3” on the list which places it in the top 15 priority projects. He continued that Mr. Ray Darcey compiled the aforementioned list, which is now being maintained by Mr. Earl Sevin. Mr. Blanchard noted the significance of allowing only one person to maintain the road priority list in order to maintain consistency in rating. He added that Linda Ann Street elevation has been included on the priority list.

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Ms. K. Elfert.

#### RESOLUTION NO. 05-320

WHEREAS, each year a Road Maintenance Priority List is adopted by the Parish Government as a requirement to receive allocations from the State Transportation Trust Fund, and

WHEREAS, this list includes the length and width of a roadway, District in which the road or street is located, Priority Rating and other pertinent information, and

WHEREAS, the Parish Administration has devised a 2005 Road Maintenance Priority List for review by the Council.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the attached 2005 Road Maintenance Priority List prepared by the Parish Administration be accepted and approved as submitted.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

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Mr. C. Voisin moved, seconded by Ms. C. Duplantis, "THAT, the Public Services Committee add on to the agenda the matter relative to allowing the United Veterans League to utilize the Court House Square on September 17, 2005 at 10:00 a. m. for a 9-11 Tribute."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED: Unanimously.

#### RESOLUTION NO. 05-321

WHEREAS, the date of September 11 will forever be etched in the minds and hearts of Americans, where ever they may be, and

WHEREAS, the tragic event that took place on September 11, 2001 has and will forever inspire strong emotions in all Americans, and

WHEREAS, an offshoot of that dreadful date was a tremendous outpouring of patriotism that had been sadly missing in many parts of our great nation, and

WHEREAS, in an effort to pay tribute to the memory of those thousands of individuals who lost their lives on 9-11, the United Veterans League wishes to hold a memorial tribute on Saturday, September 17, 2005, at 10:00 AM in the Court House Square, and

WHEREAS, those attending this momentous event will not only honor those persons who lost their lives on 9-11, but also those brave men and women are who are still actively and aggressively pursuing the cause that no American should ever fear acts of terrorism again, and

WHEREAS, the Terrebonne Parish Council wishes to join with the United Veterans League and a multitude of other civic and patriotic organizations to make certain that 9-11 will forever generate a reason for all Americans to take special pride in their country.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the United Veterans League be allowed to utilize the Court House Square on September 17, 2005, at 10:00 AM for a 9-11 Tribute, that this event be co-sponsored by the Parish Government, and that insurance coverage for this event be assumed by the Parish Government; and,

BE IT FURTHER RESOLVED that all citizens be urged to attend this event to display a sincere sense of patriotism for our great country.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

\* \* \* \* \*

Ms. C. Duplantis moved, seconded by Ms. K. Elfert, "THAT, there being no further business to come before the Public Services 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:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the motion adopted and the meeting was adjourned at 5:52 p.m.

Alvin Tillman, Chairman

Suzette Thomas, Minute Clerk

Mr. A. Tillman moved, seconded by Ms. K. Elfert, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 9/13/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman called for a report on the Community Development & Planning Committee meeting held on 9/13/05, whereupon the Committee Chairwoman, noting that ratification of the minutes calls public hearings on 9/28/05 and 10/12/05, rendered the following:

#### **COMMUNITY DEVELOPMENT & PLANNING COMMITTEE**

**SEPTEMBER 13, 2005**

The Chairwoman, Teri Cavalier, called the Community Development & Planning Committee meeting to order at 5:58 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. H. Lapeyre. Upon roll call, Committee Members recorded as present were: T. Cavalier, C. Duplantis, K. Elfert, H. Lapeyre, P. Rhodes, W. Thibodeaux, and C. Voisin. Committee

Member A. Tillman entered the proceedings at 6:00 p. m. and Committee Member P. Lambert was recorded as absent. A quorum was declared present.

The Chairwoman announced that Committee Member P. Lambert was unable to attend this evening's committee meeting due to his being required to work extended hours as a result of Hurricane Katrina.

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

#### RESOLUTION NO. 05-322

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AMEND THE URBAN SERVICES DISTRICT OF HOUMA ZONING MAP SO AS TO REZONE FROM C-3 (NEIGHBORHOOD COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL) 10.0 ACRES ALONG SOUTH HOLLYWOOD ROAD (WEST SIDE OF HOLLYWOOD ROAD, APPROXIMATELY 2000' SOUTH OF LA. HIGHWAY 311); AND CALLING A PUBLIC HEARING ON SAID MATTER ON WEDNESDAY, OCTOBER 12, 2005, AT 6:30 P.M.

#### SECTION I

WHEREAS, on Thursday, August 18, 2005, the Zoning and Land Use Commission conducted the required public hearing to obtain public comment on an application to rezone from C-3 (Neighborhood Commercial) to I-1 (Light Industrial) 10.0 acres along South Hollywood Road, (West side of Hollywood Road, approximately 2000' south of La. Highway 311); and

WHEREAS, after considering all comments received, as well as recommendations from the Department of Planning and Zoning, the Commission voted to recommend to the Terrebonne Parish Council that an ordinance be adopted to amend the Urban Services District of Houma Zoning Map so as to rezone from C-3 (Neighborhood Commercial) to I-1 (Light Industrial) 10.0 acres along South Hollywood Road (West side of Hollywood Road, approximately 2000' south of La. Highway 311).

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community Development and Planning Committee), that notice be hereby given to adopt an ordinance to amend the Urban Services District of Houma Zoning Map so as to rezone from C-3 (Neighborhood Commercial) to I-1 (Light Industrial) 10.0 acres along South Hollywood Road (West side of Hollywood Road, approximately 2000' south of La. Highway 311); and that a public hearing be called on said matter for Wednesday, October 12, 2005, at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert and A. Tillman.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

\* \* \* \* \*

Committee Member A. Tillman entered the proceedings at this time.

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

#### RESOLUTION NO. 05-323

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, gas, sewer, and rights-of-way for "SUGAR POINTE INDUSTRIAL PARK, ADDENDUM NO. 2, PHASE B" and to incorporate "EQUITY BOULEVARD AND FREEDOM ROAD" into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

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(s), drainage servitudes, gas, sewer, and rights-of-way for "SUGAR POINTE INDUSTRIAL PARK, ADDENDUM NO. 2, PHASE B", and to incorporate "EQUITY BOULEVARD AND FREEDOM ROAD" 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, September 28, 2005 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

\* \* \* \* \*

OFFERED BY: Mr. W. Thibodeaux.

SECONDED BY: Ms. K. Elfert.

#### RESOLUTION NO. 05-324

#### A RESOLUTION SUPPORTING A PROPOSED HOUSING DEVELOPMENT PROJECT BY VOB DEVELOPMENT.

WHEREAS, VOB Development is proposing to develop affordable housing units, which will be located on a 14-acre site bearing the address 4325 West Park Avenue, Houma, Louisiana, and

WHEREAS, the 25 duplexes will total 50 units, which are expected to serve large families, handicapped persons, and households whose incomes do not exceed 60% of the median income, and

WHEREAS, the total cost of the development is expected to be approximately \$5.5 million, and

WHEREAS, VOB Development is applying for Housing Tax credits to assist in this endeavor, and

WHEREAS, one of the requirements of the Louisiana Housing Finance Agency is that the local governing authority must clearly support the proposed project.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that this governing authority goes on record as being in support of the housing development proposed by VOB Development, to be located at 4325 West Park Avenue, Houma, Louisiana.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

\* \* \* \* \*

Committee Member H. Lapeyre requested that the Terrebonne Economic Development Authority be allowed to proceed as authorized in the Cooperative Endeavor Agreement.

Committee Member P. Rhodes noted his support of authorizing two-year terms for TEDA in order to allow the "2008-2012" Council to make decisions once they take office.

Parish Attorney Courtney Alcock briefly reviewed her response regarding questions submitted by Mr. Alex Ostheimer at a previous meeting (See Exhibit A). Ms. Alcock noted that the backup cooperative endeavor agreement was drafted August 18, 2005, and noted that the Interim Economic Development Board recommended changes after that date which included three-year terms as opposed to two-year terms.

Terrebonne Economic Development Authority Chairman Henry Richard stated that the authority recommended three-year contractual terms in order to hire a Chief Executive Officer with three-year renewal options. He continued by requesting that the Council consider exempting Item D. under the Termination Clause so that the employment contract would be the exemption to terminating the cooperative endeavor agreement.

Committee Member P. Rhodes expressed concern relative to terminating the budget for TEDA with the exception of those funds allocated for the Chief Executive Officer of TEDA. He noted that should the Government choose to terminate the budget for TEDA, it may continue through other funding sources and the Government would be required to pay the CEO.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, "THAT, the Community Development & Planning Committee retain the matter relative to the proposed Terrebonne Economic Development Authority Cooperative Endeavor Agreement and Budget for two weeks." (\*\*SUBSTITUTE MOTION OFFERED AND ADOTPED AFTER DISCUSSION)

Committee Member K. Elfert recommended moving forward with the TEDA agreement and suggested that Section 3 be amended to provide for a two-year term with three-year renewal options. She also suggested that Section C of the Chief Executive Officer Contract include a provision stating, "Upon termination under any provision, the Terrebonne Parish Consolidated Government shall not be obligated to continue paying the Terrebonne Economic Development Authority, its successors, or assigns except for the salary of the Chief Executive Officer."

Mr. Richard emphasized the need for ensuring that the Chief Executive Officer's contract is honored, and that, if the assignment of two-year terms is only for the entity and not the CEO, the board would be agreeable to the change.

Committee Member K. Elfert also suggested that Section 3 also provide that, "The initial Cooperative Endeavor Agreement is for two years with three-year options."

Committee Member P. Rhodes noted that the employment contract stated that if changes to TEDA are not adopted, the Parish Government has no cause for terminating the CEO contract. He stated that, in his opinion, the Parish Government is only responsible for twelve months of funding, not three years.



Ms. Alcock interjected that the Council ratifies appointment of the CEO for TEDA, and that the Authority has the authority to terminate or retain the CEO. She continued if the a three-year contract is entered into, the Authority is requesting that the Council obligates itself to pay the CEO contract even though the Council chooses to cease funding TEDA. Ms. Alcock stated that the agreement also provides for a provision that, should the Authority choose to terminate the contract of the CEO, the Parish Government would not be obligated to continue to pay the salary if there is no CEO after three years. She suggested that the Council consider including in the cooperative endeavor agreement a provision that after two years, with the exception of the salary of the CEO, the agreement would be honored for the optional three year terms beyond the initial two year term of TEDA.

Ms. K. Elfert offered a *substitute* motion, seconded by Mr. P. Rhodes, "THAT, the Community Development & Planning Committee approve the Cooperative Endeavor Agreement with the Terrebonne Economic Development Authority contingent upon the inclusion of the following changes:

Amend Section 3 to provide for a two-year term with three-year renewal options.

Include in Section C of the Chief Executive Officer Contract a provision stating, Upon termination under any provision, the Terrebonne Parish Consolidated Government shall not be obligated to continue paying the Terrebonne Economic Development Authority, its successors, or assigns except for the salary of the Chief Executive Officer.

Amend Section 3 to provide that, the initial Cooperative Endeavor Agreement is for two years with three-year options.

Include in the cooperative endeavor agreement a provision that after two years, with the exception of the salary of the CEO, the agreement would be honored for the three-year terms beyond the initial two-year term of TEDA."

\*\*The Chairwoman called for the vote on the *substitute* motion offered by Ms. K. Elfert.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairwoman declared the motion adopted.

Terrebonne Economic Development Authority Chairman Henry Richard stated that TEDA has an initial budget for the remaining portion of 2005 as "start-up" funding.

Parish Manager Barry Blackwell stated that approximately \$120,000.00 was allocated for TEDA, that Administration has hired one temporary employee, that the phones in the area formerly occupied by the Cultural Resources & Economic Development Division have been reactivated, and less than \$3,000.00 of the budget has been spent. He continued that a pro rated assessment is being used for funding TEDA, and added that in 6 to 8 weeks TEDA would present a "true" budget.

Mr. Richard noted that TEDA has set up an office on the 7<sup>th</sup> Floor of the Government Tower Building.

Discussion transpired relative to TEDA and Administration not being authorized to allocate office space in the Government Tower Building.

Mr. Richard interjected that the office space was granted as an emergency in order to take advantage of those businesses wanting to relocate from New Orleans as a result of Hurricane

Katrina. He continued that the lowest salaried person has been hired, an advertisement has been published for a Chief Executive Officer for TEDA, and a website has been set up.

Committee Member W. Thibodeaux cautioned Administration relative to authorizing the allocation of office space without Council approval and hiring employees without a competitive process.

Mr. Blackwell interjected that Administration hired the employee for TEDA and noted that no office space has been rented. He continued that the only thing Administration may be guilty of is hiring a temporary employee for a position that was not previously budgeted. Mr. Blackwell stated that Administration's action was an attempt to assist the State in retaining its population/employment base and noted that minimal funding has been spent.

Parish Attorney Courtney Alcock stated that the Legal Department could prepare an intergovernmental agreement for temporary office space for TEDA which specifies the term of the office space.

Ms. K. Elfert moved, seconded by Mr. H. Lapeyre, "THAT, the Community Development & Planning Committee direct the Legal Department to prepare an intergovernmental agreement for use of office space in the Government Tower to be utilized by the Terrebonne Economic Development Authority."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairwoman declared the motion adopted.

Terrebonne Economic Development Authority Chairman Henry Richard noted that Terrebonne Parish will, hopefully, benefit from the relocation of businesses out of the New Orleans area.

Parish Manager Barry Blackwell stated that a budget for TEDA would be submitted at a later time. (NO ACTION TAKEN)

Mr. P. Rhodes moved, seconded by Ms. K. Elfert, "THAT, the Community Development & Planning Committee add on to the agenda the matter relative to a CDBG Economic Development Loan to Pearl, Inc."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairwoman declared the motion adopted.

South Central Planning & Development Commission representative Laura Michel explained that Pearl, Inc. is requesting approval to refinance an existing loan and allow the Terrebonne Parish Consolidated Government to remain in the second collateral position on the mortgage. She added that no additional funding is being requested from the Parish Government.

Committee Member C. Voisin was recorded as exiting the proceedings at 6:49 p. m.

OFFERED BY: Mr. P. Rhodes.  
SECONDED BY: Ms. C. Duplantis.

RESOLUTION NO. 05-325

WHEREAS, the Terrebonne Parish Consolidated Government made a CDBG Economic Development Loan in the amount of \$100,000 to Pearl, Inc. in April, 2005 to promote economic development and the retention of hundreds of jobs, and

WHEREAS, Pearl, Inc. wishes to refinance existing debt and wishes that when said debt is refinanced, the new lender, Interbay Funding, Inc., be allowed to hold first mortgage in place of the current first mortgage-holders, and

WHEREAS, the Terrebonne Parish Consolidated Government will remain second mortgage holder with no elevation in mortgage status when the first mortgages are refinanced, and

WHEREAS, the Terrebonne Parish Consolidated Government is vitally interested in fostering economic development in order to create jobs and employment opportunities for all citizens of the Parish.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, hereby supports and endorses this activity to Pearl, Inc., Andrew and Christine Blanchard, and authorizes Parish President Don Schwab to execute any and all documents necessary for processing this loan.

THERE WAS RECORDED:

YEAS: T. Cavalier, C. Duplantis, K. Elfert, P. Rhodes and A. Tillman.

NAYS: None.

ABSTAINING: H. Lapeyre.

ABSENT: P. Lambert, W. Thibodeaux and C. Voisin.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of September, 2005.

\* \* \* \* \*

Committee Member W. Thibodeaux requested that consideration be given to negotiating an instrument with a financial institution relative to the Parish Government's position in the event of insolvency of businesses receiving a loan for the government.

Ms. Michel noted that there is sufficient collateral for the aforementioned loan, and noted the process of recouping funding should the company file bankruptcy.

Committee Member W. Thibodeaux was recorded as exiting the proceedings at 6:53 p.m.

Committee Member A. Tillman requested that South Central Planning & Development Commission request that companies log those requests by New Orleans businesses requesting services.

Ms. C. Duplantis moved, seconded by Ms. K. Elfert, "THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert, W. Thibodeaux, and C. Voisin.

The Chairwoman declared the motion adopted and the meeting was adjourned at 6:55 p. m.

Teri C. Cavalier, Chairwoman

Suzette Thomas Minute Clerk

Ms. T. Cavalier moved, seconded by Mr. C. Voisin, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 9/13/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

Mr. C. Voisin moved, seconded by Ms. K. Elfert, "THAT, the Council hold nominations open for two weeks for the vacancy on the Terrebonne Parish Tree Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, "THAT, the Council nominate Mr. Keith Gallicio and Mr. Aurestille Scott, Jr. for the vacancy on the on the Houma Municipal

Police and Fire Civil Service Board, that nominations be closed, and that a voice vote of the Council be taken to determine who will fill the vacancy.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman called for a voice vote of the Council to determine who will fill the vacancy on the Houma Municipal Police and Fire Civil Service Board, whereupon the following was recorded:

KEITH GALLICIO

AURESTILE SCOTT, JR.

C. Duplantis  
H. Lapeyre  
C. Voisin

P. Rhodes  
A. Tillman  
W. Thibodeaux  
K. Elfert  
T. Cavalier

P. Lambert was recorded as absent.

The Chairman stated as per the aforementioned results, Mr. Aurestile Scott, Jr. is appointed to fill the vacancy on the Houma Police and Fire Civil Service Board.

Ms. K. Elfert moved, seconded by Ms. A. Tillman, “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:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

- A. A proposed ordinance to amend the 2005 Budget, Utility Fund, to provide local funding to supplement the LIHEAP Program to assist elderly and disadvantaged citizens in the City of Houma and Terrebonne Parish with utility payments.

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

Mr. A. Tillman 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. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. H. Lapeyre.

#### ORDINANCE NO. 7039

AN ORDINANCE TO AMEND THE 2005 ADOPTED BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT SO AS TO PROVIDE LOCAL FUNDING TO SUPPLEMENT THE LIHEAP PROGRAM TO ASSIST ELDERLY AND DISADVANTAGED CITIZENS IN THE CITY OF HOUMA AND TERREBONNE PARISH WITH UTILITY PAYMENTS.

#### SECTION I

WHEREAS, to supplement the LIHEAP Program to assist elderly and disadvantaged citizens in the City of Houma and Terrebonne Parish with utility payments.

BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2005 Adopted Budget of the Terrebonne Parish Consolidated Government be amended for the funding of the above stated program.

#### **FUND 151 - GENERAL FUND**

151-999-9102-30	Transfer Out - LIHEAP Program	75,000
151-000-5111-00	Fund Balance (Video Poker)	(75,000)

#### **FUND 230 - DEPT. OF HEALTH & HOSPITALS - ENERGY**

230-000-7101-51	Transfer In - General Fund	(75,000)
230-634-8311-01	Entergy	21,450
230-634-8311-02	TPCG Utilities	37,500
230-634-8311-03	SLECA	9,975
230-634-8311-06	South Coast Gas	3,495
230-634-8311-15	Housing Authority	330
230-634-8311-16	TRANSLA	2,250

#### SECTION II

WHEREAS, to supplement the LIHEAP Program to assist elderly and disadvantaged citizens in the City of Houma with utility payments through the City Utilities.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2005 Adopted Budget of the Terrebonne Parish Consolidated Government be amended for the funding of the above stated program.

**FUND 300 - UTILITIES FUND**

300-999-9102-30	Transfer Out - LIHEAP Program	75,000
300-000-5121-00	Retained Earnings (Decrease)	(75,000)

**FUND 230 - DEPT. OF HEALTH & HOSPITALS - ENERGY**

230-000-7103-00	Transfer In - Utilities Fund	(75,000)
230-633-8311-02	TPCG Utilities	75,000

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the ordinance adopted on this, the 14<sup>th</sup> day of September, 2005.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

- B. A proposed ordinance to amend Section 2-403 of the Parish Code: Applications and Requests for Use of Facilities

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

Ms. K. Elfert moved, seconded by Mr. C. Voisin, "THAT, the Council continue the public hearing on the proposed ordinance to amend Section 2-403 of the Parish Code: Applications and Requests for Use of Facilities until 9/28/05."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

- C. A proposed ordinance that will revoke the servitude of passage for the unimproved portion of Bragg Street (from Eliza Street to the Terminus of Bragg Street)

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

Mr. W. Thibodeaux moved, seconded by Mr. C. Voisin, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

OFFERED BY: Mr. W. Thibodeaux.

SECONDED BY: Ms. K. Elfert.

#### ORDINANCE NO. 7040

AN ORDINANCE TO REVOKE THE SERVITUDE OF PASSAGE FOR THE UNIMPROVED PORTION OF BRAGG STREET, FROM ELIZA STREET TO THE TERMINUS OF BRAGG STREET; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

#### SECTION I

BE IT ORDAINED that the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority vested in it by the Constitution and laws of the State of Louisiana, and pursuant to the Home Rule Charter for a consolidated Government, does hereby revoke the dedication of servitude of passage for the unimproved portion of Bragg Street, from Eliza Street to the terminus of Bragg Street, as shown on the attached plat marked as Exhibit "A".

#### SECTION II

BE IT FURTHER ORDAINED that the Terrebonne Parish Council does further reserve its rights with respect to installation, maintenance and operation of utilities and drainage across the entirety of the servitude area described heretin.

#### 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.

#### SECTION IV

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:

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

NAYS: None.



ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the ordinance adopted on this, the 14<sup>th</sup> day of September, 2005.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

- D. A proposed ordinance to amend the Parish Code in order to prohibit the use of City or Parish roadways as playing surfaces for ball sports and sports-related activities

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

Mr. A. Tillman 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. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

Upon questioning, Councilman A. Tillman explained the safety precaution intent of the proposed ordinance and stated that the City of Houma Police Chief is in agreement with the legislation.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. C. Voisin.

#### ORDINANCE NO. 7041

An ordinance amending the Parish Code of Terrebonne Parish, Chapter 22, Roads, Bridges, Watercourses and Drainage, Article I. in General, Section 22-10, Use of City or Parish Streets as a playing surface for ball sports and sport related activities; and to address other matters relative thereto.

#### SECTION I

BE IT ORDAINED, by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, and to amend the Codes of Terrebonne Parish, Chapter 22, Roads, Bridges, Watercourses and Drainage, Article I, in General, Parish Section 22-10, as follows:

#### CHAPTER 22: ROADS, BRIDGES, WATERCOURSES AND DRAINAGE

#### ARTICLE I. IN GENERAL

#### SECTION 22-10: USE OF CITY OR PARISH STREETS AS A PLAYING SURFACE FOR BALL SPORTS AND SPORT RELATED ACTIVITIES.

- A. The positioning of any sporting equipment, playing of ball sports or related activities on a city or parish street is hereby prohibited.

- B. A warning ticket shall be issued giving the violator ten (10) days to comply with this ordinance. A \$50.00 fine will be imposed for each day after such warning period of ten (10) days.

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

Any ordinance or part thereof in conflict herewith is hereby repealed.

SECTION IV

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:

YEAS: C. Duplantis, H. Lapeyre, C. Voisin, P. Rhodes and A. Tillman.

NAYS: K. Elfert and T. Cavalier.

ABSTAINING: W. Thibodeaux.

ABSENT: P. Lambert.

The Chairman declared the ordinance adopted on this, the 14<sup>th</sup> day of September, 2005.

\* \* \* \* \*

Councilwoman T. Cavalier suggested that the matter of requiring developers to provide “green space” be reviewed so children will have playing area.

Councilman A. Tillman stated there are adequate enough parks for children to play. He also stated there is currently a State law that prohibits obstructing highways, but does not address local problems on Parish roadways.

Ms. K. Elfert moved, seconded by Ms. C. Duplantis, “THAT, the Council continue with the regular order of business.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Ms. C. Duplantis, "THAT, the Council appoint Ms. Mary Jane Peters to replace Mrs. Judy Navarre, who resigned, on the Houma Downtown Development Corporation, representing Garden Clubs in Terrebonne Parish."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

At the request of Councilman W. Thibodeaux, Information Technology Manager N. PreJean explained TPCG's disaster recovery plan for all computer records/data in the event of storms. He further stated that he has received correspondence from Dell and IBM offering support if TPCG was affected to provide sites or equipment, as required.

Councilman W. Thibodeaux stated that he has been approached by citizens concerned about price gouging by some merchants. He stated that citizens could call 1-800-488-2770 to report possible price gouging.

Upon questioning, Parish Attorney C. Alcock stated during the recent State of Emergency the Louisiana Attorney General requested that price gouging be referred to his office. However, she believes the local government could address the issue on a local level for future disasters.

Councilman A. Tillman requested the Parish Attorney to prepare draft legislation for Council consideration to address local price gouging in the events of disasters.

Councilwoman C. Duplantis announced on behalf of the Gouaux Avenue area residents, the matter of a proposed trailer park would be discussed this Thursday at the Planning Commission meeting. She stated that she plans to hold a town meeting next Wednesday or Thursday of the following week for the residents in the vicinity, and they can contact the Council Clerk at 873-6518 for further details.

Councilman C. Voisin announced a 9-11 tribute to be held this Saturday, 9/17/05, in the Court Square at 10:00 a.m. being put on by the United Veterans' League and encouraged participating citizens.

Councilman H. Lapeyre offered gratitude to the Police Department, Sheriff's Office, Government employees, Sanitation employees, subcontractors, etc. for their assistance in getting this community back to normalcy.

Councilman A. Tillman offered gratitude to the residents of Houma-Terrebonne giving to the victims of Hurricane Katrina.

Councilwoman T. Cavalier encouraged Terrebonne Parish residents familiar with the area to try to utilize back roads when possible to help alleviate some of the heavy traffic, particularly at peak hours.

Councilwoman C. Duplantis offered gratitude to the medical community, School Board, teachers, police and fire personnel, Civic Center Director nominee Dave Ohlmeyer, Office of Emergency Preparedness, etc., for coming together and offering their assistance in this time of crisis.

Mr. H. Lapeyre moved, seconded Unanimously, "THAT, the Council ratify the Parish President's appointment of Mr. Dave Ohlmeyer as Houma-Terrebonne Civic Center Director."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

The Chairman recognized Mr. Dave Ohlmeyer, newly appointed Houma-Terrebonne Civic Center Director, who expressed his gratitude to the residents of Terrebonne Parish for the outpouring of donations and volunteers and stated how proud he was to be coming back to this Parish. He also thanked the Council and Parish President for the appointment.

Several Council Members expressed their appreciation to Mr. Dave Ohlmeyer for his stepping up and assisting with the evacuation center at the Civic Center even prior to his ratification of his appointment of Director of said facility.

Ms. K. Elfert moved, seconded by Mr. H. Lapeyre, "THAT, the Council allow two additions to tonight's agenda to address 1) Approving a bid for Gas Meters for warehouse stock, and 2) Approving a street light."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

OFFERED BY: Ms. K. Elfert.

SECONDED BY: Mr. C. Voisin.

#### RESOLUTION NO. 05-326

WHEREAS, on August 4, 2005, bids were received by the Terrebonne Parish Consolidated Government for Bid No. 05-1/9-25 for the Purchase of a New Gas Meters for the Gas Distribution Department for warehouse stock, and

WHEREAS, after careful review by the Purchasing Division; Angela Guidry, Purchasing Manager, and Siamak Mokhtarnejad, Associate Director of Gas Systems, it has been determined that the bid of LUSCO (Louisiana Utilities Supply Co.) is the lowest qualified bid for the total amount of \$93,489.01, and

WHEREAS, the Department of Finance has verified that funds are budgeted and available for said equipment, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bid of LUSCO (Louisiana Utilities Supply Co.) is the lowest qualified bid for Bid No. 05-1/9-25 for the Purchase of a New Gas Meters for the Gas Distribution as per the attached bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration is approved and the bid of LUSCO (Louisiana Utilities Supply Co.) be accepted as the lowest qualified bid for the total amount of \$93,489.01, as per the attached bid forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: P. Lambert.

The Chairman declared the resolution adopted on this, the 14<sup>th</sup> day of September, 2005.

\* \* \* \* \*

Ms. C. Duplantis moved, seconded by Mr. H. Lapeyre, "THAT, the Council approve the following street light list:

INSTALL STREET LIGHT ON EXISTING POLE BETWEEN THE DRIVEWAYS AT 300 WILSON AVENUE AND 222 WILSON AVENUE, AT ITS INTERSECTION WITH CHERRY STREET; TPCG UTILITIES; USD ROAD LIGHTING DISTRICT; CHRISTA DUPLANTIS."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

Parish President D. Schwab expressed his gratitude to Mr. Dave Ohlmeyer for all the time he spent at the Civic Center with the evacuation efforts and stated he felt his leadership will be beneficial for the Center. He also expressed his gratitude to Mr. Mike Deroche – EOP office, volunteers, the medical community, Police Department, and Sheriff's Office, etc., for their services during this time of need.

Mr. A. Tillman, seconded by Ms. K. Elfert, "THAT, the Council accept the following Monthly Engineering Reports:

- A) GSE Associates, Inc.
- B) T. Baker Smith & Son, Inc."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted.

Ms. K. Elfert moved, seconded by Mr. A. Tillman, "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 Ms. K. Elfert.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSTAINING: None

ABSENT: P. Lambert

The Chairman declared the motion adopted and the meeting adjourned at 7:02 p.m.

VENITA H. WHITNEY  
MINUTE CLERK

ATTEST:

/S/PETER RHODES  
PETER RHODES, CHAIRMAN  
TERREBONNE PARISH COUNCIL

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