

**PROCEEDINGS  
OF THE  
TERREBONNE PARISH COUNCIL  
IN REGULAR SESSION  
JANUARY 13, 2010**

The Chairwoman, Ms. A. Williams, called the meeting to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, led by Councilman A. Tillman, Councilman P. Lambert led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert. A quorum was declared present.

Councilman B. Hebert nominated Councilwoman A. Williams for 2010 Chair of the Terrebonne Parish Council.

Councilman K. Voisin nominated Councilman J. Pizzolatto for 2010 Chair of the Terrebonne Parish Council.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Council close nominations for the election of 2010 Chair of the Terrebonne Parish Council and that a voice vote be taken."

The Chairwoman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a voice vote to determine who will be elected as 2010 Chair of the Terrebonne Parish Council, whereupon the following was recorded:

ARLANDA WILLIAMS    JOHNNY PIZZOLATTO

A. Tillman	T. Cavalier
A. Williams	J. Pizzolatto
B. Hebert	K. Voisin
C. Voisin	P. Lambert
J. Cehan	

The Chairwoman declared as per the aforementioned results, Councilwoman A. Williams is elected as 2010 Chair of the Terrebonne Parish Council.

Councilwoman A. Williams resumed the Chair and stated she looks forward to working with the Council in moving Terrebonne Parish forward.

Councilman J. Cehan nominated Councilman C. Voisin for 2010 Vice-Chair of the Terrebonne Parish Council.

Councilwoman T. Cavalier nominated Councilman A. Tillman for 2010 Vice-Chair of the Terrebonne Parish Council.

Mr. J. Pizzolatto moved, seconded by Mr. K. Voisin, "THAT, the Council close nominations for the election of 2010 Vice-Chair of the Terrebonne Parish Council and that a voice vote be taken."

The Chairwoman called for a vote on the motion offered by Mr. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a voice vote to determine who will be elected as 2010 Vice-Chair of the Terrebonne Parish Council, whereupon the following was recorded:

CLAYTON VOISIN    ALVIN TILLMAN

A. Williams	A. Tillman
B. Hebert	T. Cavalier
C. Voisin	J. Pizzolatto
J. Cehan	K. Voisin
P. Lambert	

The Chairwoman stated that as per the aforementioned results, Mr. Clayton Voisin is elected as the 2010 Vice-Chair of the Terrebonne Parish Council.

The Chairwoman congratulated 2010 Vice-Chairman C. Voisin for his election. She announced the following Chairs of Council Committees for 2010:

Budget & Finance Committee:	Alvin Tillman
Policy, Procedure & Legal Committee:	Johnny Pizzolatto
Public Services Committee:	Joey Cehan
Community Development & Planning Committee:	Billy Hebert
Natural Resources & Coastal Restoration Committee:	Kevin Voisin

Mr. J. Cehan moved, seconded by Mr. A. Tillman, "THAT, the Council approve the minutes of the Regular Council Session held on 12/2/09".

The Chairwoman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council approve the minutes of the Special Council Session (Sewer Revenue Bonds) held on 12/14/09".

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. J. Cehan, "THAT, the Council approve the Parish Bill Lists dated 12/21/09, 12/28/09, 12/30/09 (End of Year), 1/4/10, and 1/11/10."

The Chairwoman called for a vote on the motion offered by Mr. K. Voisin.

## UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council approve the Parish Manual Check List for November 2009."

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

## UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Parish President M. Claudet read aloud a memorial for Mr. Herman Johnson, Sr., long time Parish Employee, who recently passed away and asked everyone to stand for a moment of silence in honor of his memory.

The Chairwoman recognized Mr. Herman Johnson's widow, Gwendolyn, who thanked the Parish President and Council for the Memorial and offered her appreciation to the employees of the Parish Government for making Herman and herself feel like family.

OFFERED BY: Mr. K. Voisin.

SECONDED: Unanimously.

## RESOLUTION NO. 10-001

WHEREAS, as a result of Mr. J. Sterling Morton's proposal, in 1972, to the Nebraska Board of Agriculture for a special day for the planting of trees, more than one million trees were planted in Nebraska, and

WHEREAS, Arbor Day, as it is now called, is observed throughout the United States and in many countries around the globe, and

WHEREAS, aside from the wonderful aesthetic value, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource, giving us paper, wood for hour homes, and countless other wood products, and

WHEREAS, trees in our cities increase property values, enhance the economic vitality of business areas and beautify our communities, as well as providing a source of joy and spiritual renewal, and

WHEREAS, through the efforts of the Terrebonne Parish Tree Board, the Houma-Terrebonne community is making application to become recognized as a Tree City, USA by the National Arbor Day Foundation, and

WHEREAS, the Tree Board has already begun a community awareness program of the importance of trees in this community and planted several trees in public areas of the Parish of Terrebonne.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that January 15, 2010 be hereby declared ARBOR DAY IN HOUMA-TERREBONNE; and,

BE IT FURTHER RESOLVED that all citizens be urged and encouraged to plant and maintain trees for the well-being of future generations of Houma-Terrebonne residents.

THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of January, 2010.

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The Chairwoman recognized Mrs. Sybil Guidry, Terrebonne Parish Tree Board, who thanked the Council and Parish President for the proclamation and stated that the celebration of Arbor Day in Terrebonne Parish began this morning by planting over thirty-five trees in Westgate Park, which did not have any trees. She stated that the celebration will be concluded this Saturday, 1/16/10, in front of the Main Library with an 3<sup>rd</sup> annual tree give away sponsored by the Apache Foundation where over 2000 seedlings and 200 15-gallon potted trees will be given away to the public. She encouraged residents to come by and pick up a free tree to plant for Arbor Day.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED: Unanimously.

RESOLUTION NO. 10-002

WHEREAS, after over three decades of commitment to provide quality fire protection to the residents and property owners of the Coteau community, Mr. Willis Henry has tendered his resignation from the Coteau Fire Protection District Board, and

WHEREAS, since the creation of the Coteau Fire District, Mr. Henry has served as chairman of the governing body of the district, his resignation from the board will not lessen his desire to help the district whenever needed, and

WHEREAS, many people who resign from boards take a break from the stress and time commitments associated with public service, Mr. Henry wishes to devote more time to the Terrebonne Levee and Conservation District, an entity he has been associated with for decades, and

WHEREAS, Mr. Henry's contributions did not end with the fire district, as he is a former member of the Parishwide Recreation District Board and a former member of the Hospital Service District No. 1 Board of Terrebonne Parish, and

WHEREAS, in light of his many contributions to the community, the voters of the area elected Mr. Henry to represent them from 1980 to 1988 on the Terrebonne Parish Police Jury and then on the Terrebonne Parish Council.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government that Mr. Willis Henry be commended for his many years of service to residents of Terrebonne Parish, but mostly for his thirty plus years of involvement and leadership with the Coteau Fire Protection District Board.

THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of January, 2010.

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The Chairwoman recognized Mr. Willis Henry, who thanked the Council and Parish President for the commendation and expressed his appreciation to the Parish Government for assistance and supported provided to the Coteau Fire Department when needed.

Mr. C. Voisin moved, seconded by Mr. B. Hebert, "THAT, the Council take no action on the proposed ordinance that would amend the 2009 Adopted Budget and the 5-Year Capital Outlay to return to General Fund \$1.8 million used in years 2002 and 2003 to supplement the group insurance benefits; to fund Capital Projects listed below; to authorize the Parish President to execute an agreement to purchase and sell a 70-acre tract of land belonging to North Terrebonne Investors, LLC & Cropland Investors Group, LLC:

- Bayou LaCarpe Phase D, \$1,700,000
- Valhi Blvd, \$600,000
- Bayou Gardens Blvd. Extension, \$425,000
- Screw Gate, Hwy. 56 \$100,00
- Engeron Street Drainage, \$100,000
- Westside Blvd. Phase II, \$500,000
- Highway 311/Equity Bridge, \$681,488
- Industrial Blvd. Rehab/Turning Lane, \$30,052
- Land Purchase, \$3,400,000
- Site Development, \$1,400,000."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, C. Voisin, J. Cehan, and P. Lambert

NAYS: T. Cavalier, J. Pizzolatto, and K. Voisin

ABSENT: None

The Chairwoman declared the motion adopted.

Council Clerk P. Labat stated that the next item on the agenda, which is an add on to introduce a budget amendment, should indicate "2010" budget instead of "2009."

Mr. C. Voisin moved, seconded by Mr. P. Lambert, "THAT, the Council allow an add on to tonight's agenda to address the introduction of a separate ordinance for most of the aforementioned projects, excluding the land purchase and site development for a new Government Complex."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for comments from the public on the proposed add on, there were none.

Mr. A. Tillman moved, seconded by Mr. K. Voisin and Mr. J. Cehan, "THAT, the Council close the call for public comments."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council introduce an ordinance to amend the 2010 Adopted Budget and the 5-Year Capital Outlay to return to the General Fund \$1.8 million used in years 2002 and 2003 to supplement the group insurance benefits; to fund Capital Projects listed below:

- Bayou LaCarpe D, \$1,700,000
- Valhi Blvd, \$600,000
- Bayou Gardens Blvd. Extension, \$425,000
- Screw Gate, Hwy. 56 \$100,00
- Engeron Street Drainage, \$100,000
- Westside Blvd. Phase II, \$500,000
- Highway 311/Equity Bridge, \$681,488
- Industrial Blvd. Rehab/Turning Lane, \$30,052

and call a public hearing on January 27, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Ms. Alicia Toups, Executive Director of the Alcohol and Drug Abuse Council for South La., who requested the establishment of a "Drug/Alcohol/Tobacco Free Zone" at the Good Earth Transit Station for the 2010 west side Mardi Gras parades. She stated it was ADAC's 9<sup>th</sup> year in establishing this as a "Drug/Alcohol Free Zone" and its 2<sup>nd</sup> year for a "Tobacco Free Zone". She presented the following Region 3 DEFY Youth Members:

Mr. Beaux Toups – Central Lafourche High School

Ms. Kiwana Simmons – Terrebonne High School

Ms. Skyler Carter – Terrebonne High School

Ms. Erica Robichaux – Bayou Blue Middle School

Ms. Joyce Simmons – Terrebonne High School

Councilman K. Voisin requested that the matter of permanently establishing a "Drug/Alcohol/Tobacco Free Zone" for the Mardi Gras season be placed in the appropriate committee.

Mr. J. Cehan moved, seconded Unanimously, "THAT, the Council establish a "Drug/Alcohol/Tobacco Free Zone" in the vicinity of the Good Earth Transit Station on Main St. on parade days in West Houma for the 2010 Mardi Gras season."

The Chairwoman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Ms. Trudy Hebert and Ms. Karen Victor, representing the U.S. Census Program, who introduced other representatives who were present in the audience: Ms. Pam Danos, Ms. Mary Hebert, Ms. Sheila Billiot, and Ms. Patsy Naquin. Ms. Hebert stressed the importance of residents cooperating in providing information for the 2010 Census. She stated that the data collected directly affects more than 4 billion dollars in federal funding that is allocated to local, state, and tribal governments each year. She stated to apply for a job with the 2010 Census the phone number is 1-866-861-2010 or visit the website at [www.2010censusjobs.gov](http://www.2010censusjobs.gov). She encouraged partnerships with the U.S. Bureau to assist in achieving an accurate census count. She encouraged everyone to complete their questionnaire that will be mailed to them and send them back in by April 1, 2010.

Mr. J. Pizzolatto moved, seconded by Mr. K. Voisin, "THAT, the Council extend Ms. Trudy Hebert's time."

The Chairwoman called for a vote on the motion offered by Mr. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. Trudy Hebert expressed the importance of accurate census count because the information collected is vital both nationally and locally.

Chairwoman A. Williams stated that she and Councilman A. Tillman have been attempting to attend informational events regarding Census 2010 and invited Council Members to a meeting next Tuesday at Nicholls at 5:30 p.m. in Ayo Hall on Reapportionment, which will be affected by the 2010 Census.

Mr. K. Voisin moved, seconded by Mr. J. Cehan, "THAT, it now being 6:30 p.m., the Council open public hearings at this time."

The Chairwoman called for a vote on the motion offered by Mr. K. Voisin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- A. A proposed ordinance that will amend the Subdivision Regulations, Chapter 24, Section 24.2 General of the Terrebonne Parish Codes (altering drainage plan after development approval).  
*(Referred back to committee from 12/2/09 Council meeting and re-introduced at 12/11/09 committee meeting).*

The Chairwoman recognized Mr. Jason Baker, Sugar Cane Street resident, who expressed his support for the proposed ordinance.

Councilman K. Voisin explained that if altering drainage plans after development approval is found, this proposed amendment will provide recourse.

Planning & Zoning Director P. Gordon explained that the Planning Department currently receives numerous complaints from residents who have adjacent property owners who have changed the grading of their property, but there is no recourse. The proposed ordinance provides recourse to get the drainage back the way it is supposed to be.

Chairwoman A. Williams suggested that Mr. Jason Baker contact Planning & Zoning Director P. Gordon to discuss what the grading plans for his subdivision are supposed to be.

The Chairwoman recognized Mr. Alex Ostheimer, Planning Commission Member and Subdivision Regulations Review Sub-Committee Member, who expressed the need for the proposed changes to the Subdivision Regulations and stated there is an appeal process and variances that can be granted in certain circumstances, as well as the investigative and penalty phase.

The Chairwoman recognized Ms. Jennifer Goulas, Sugar Cane Street resident, who expressed her support for the proposed ordinance to eliminate drainage plans being approved and then later on someone changes them without repercussions.

The Chairwoman recognized Mrs. Barbara Larpenter, Horse Shoe Road resident, who expressed her support for the proposed ordinance.

Upon questioning by Councilman J. Pizzolatto, Planning & Zoning Director P. Gordon stated that the proposed changes would only apply to new developments.

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

Mr. K. Voisin moved, seconded by Mr. J. Cehan, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. K. Voisin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. T. Cavalier.

ORDINANCE NO. 7761

AN ORDINANCE TO AMEND THE SUBDIVISION REGULATIONS, CHAPTER 24, SECTION 24.2 GENERAL OF THE TERREBONNE PARISH CODES AS PER "ATTACHMENT A".

## 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, to amend the Subdivision Regulations, Chapter 24, Section 24.2 General of the Terrebonne Parish Codes as per "Attachment A".

## 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 or 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 the expiration of 30 days from the date of signature by the Parish President.

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

THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of January, 2010.

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## ATTACHMENT 'A'

**Subdivision Regulations Review****Altering drainage plan after development is completed****Item 19 Altering drainage plan after development****Issue:**

Thousands of dollars are spent designing, approving, and inspecting drainage systems for new developments but apparently no prohibition exist on changing the designs after the subdivision receives final approval.

**Proposal:**24.2 General (pg. 1)

Add sentence after 3<sup>rd</sup> paragraph to read as follows:

"It shall constitute a violation of this ordinance for anyone to alter a subdivision drainage plan constructed with Planning Commission review and approval without a letter of 'no adverse effect' from the Department of Public Works Engineering Division, a copy of which shall be forwarded to the Houma-Terrebonne Regional Planning Commission for inclusion in the respective subdivision file."

*March 11, 2009.*

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The Chairwoman recognized the public for comments on the following:

- B. A proposed ordinance to amend Chapter 17 of the Terrebonne Parish Code to include an Article III "Residential Building Parks" so as to include regulations guiding the development of three or more structures on one lot of record

The Chairwoman recognized Mr. Alex Ostheimer, Planning Commission and Subdivision Regulations Review Sub-Committee Member, who expressed his support for the proposed ordinance.

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

Mr. J. Cehan moved, seconded by Mr. K. Voisin, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: C. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7762

AN ORDINANCE TO AMEND ARTICLE IV, AMEND ARTICLE IV, CHAPTER 17 TO INCLUDE AN ARTICLE III "RESIDENTIAL BUILDING PARKS" OF THE TERREBONNE PARISH CODE OF ORDINANCES SO AS TO INCLUDE REGULATIONS GUIDING THE

**DEVELOPMENT OF THREE OR MORE STRUCTURES ON ONE LOT OF RECORD AS PER "ATTACHMENT A."****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, to amend Article IV, Chapter 17 to include an Article III "Residential Building Parks" of the Terrebonne Parish Code of Ordinances so as to include regulations guiding the development of three or more structures on one lot of record as per "Attachment A."

**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 of 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of January, 2010.

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**ATTACHMENT A****ARTICLE III. RESIDENTIAL BUILDING PARKS****DIVISION I. GENERALLY****Sec. 17-65. Definitions.**

*Dwelling:* A building or portion thereof providing living facilities for one or more families.

*Modular Home:* A sectional prefabricated building or house that consists of multiple modules or sections which are manufactured in a remote facility and then delivered to their intended site of use. Modular homes are built without axles and are transported by means of a flat bed truck.

*Residential Building Park:* a parcel or tract of land under single ownership which is or has been used or is planned or improved for the placement thereon of three or more structures for single-family or two-family dwelling purposes in the unzoned areas of the parish. Mobile homes shall not be permitted within Residential Building Parks.

*Residential Building Park Space:* a parcel of land in a residential building park designated for the accommodation of one dwelling unit.

*Residential Building Park Access Drive:* a private thoroughfare which affords internal circulation

through a residential building park.

## **DIVISION II. STATEMENT OF PURPOSES AND SCOPE**

### **Sec. 17-66. Purpose.**

These regulations are adopted to protect and promote the health, safety and general welfare of the parish; to prevent overcrowding and undue congestion of the population; to provide adequate and convenient open space for vehicular traffic and parking, utilities and access for emergency and service apparatus by:

- (a) Establishing minimum standards and requirements for the design, construction and maintenance of residential building parks and the related utilities and facilities which are subject to the jurisdiction of these regulations as herein set forth;
- (b) Authorizing the licensing of owners and/or operators and the inspection of residential building parks which are subject to this chapter and by defining duties and responsibilities of owners and operators in making residential building park sage, sanitary and fit for human habitation; and
- (c) Specifying a period for compliance for all nonconforming residential building parks and by fixing penalties for violations.

### **Sec. 17-67. Scope.**

- (a) The regulations contained in this chapter shall apply to the ownership, development and operation of residential building parks, as herein defined, situated in the non-zoned areas of the Parish.
- (b) The residential building park regulations contained in this chapter shall only apply to those residential building parks which shall have for their purpose the lease, rent or letting of residential building spaces and shall not contain regulations for the future subdivision of any residential building parks.

## **DIVISION III. APPLICATION AND APPROVAL PROCESSES**

### **Sec. 17-68. Appeals.**

- (a) Upon denial of a residential building park development, the Houma-Terrebonne Regional Planning Commission shall communicate its reasons to the Terrebonne Parish Council and developers within seven (7) days of said denial. Included with the notice of denial to the developer shall be the appeal process provided herein.
- (b) Applicants may appeal decisions rendered by the Houma-Terrebonne Regional Planning Commission to the Terrebonne Parish Council. Appeals shall be filed within thirty (30) days of the planning commission decision. The notice of appeal shall include the names and addresses of all adjacent property owners of said affected development, and the development's name and location. Appeals shall be filed in writing with the Terrebonne Parish Council Clerk.
- (c) Upon receipt of appeal, the Terrebonne Parish Council shall notify the Houma-Terrebonne Regional Planning Commission and adjacent property owners of said request for appeal. Included in the notice of appeal shall be: the notice of the hearing date, list of adjacent property owners, the names and location of said development, and the name of the developer.
- (d) Upon receipt of request for appeal, the Terrebonne Parish Council must hear the appeal within thirty (30) days of receipt of the request. The Terrebonne Parish Council may override the decision of the planning commission by a majority vote of the full council.

- (e) As provided by R.S.. 33:101-119, 130-140, the clerk of court shall not record a plat of a subdivision without the approval of the planning commission.

**Sec. 17-69. Variances.**

- (a) Where it can be shown by the owner or the owner's designated representative that any provision of these regulations would cause any unnecessary hardship if strictly adhered to because of topographical or other conditions peculiar to the site, then a variance must be petitioned for in writing and submitted to the planning commission. The petitions shall state fully the petitioner's reasoning for the variance.
- (b) The Houma-Terrebonne Regional Planning Commission will study the variance requested and all comments, and approve or disapprove the variance. If, in the opinion of the planning commission, a departure can be made without destroying the intent of these regulations, the requested variance may be approved, unless the planning commission finds that it would not be in the best interest and welfare of the parish to approve the requested variance, and the reasons for the approval or disapproval shall be entered into the minutes of the meeting; with the party requesting the variance being informed of the decision in writing.
- (c) In no case shall any variance, modification or waiver be more than a minimum easing of the requirements.

**Sec. 17-70. Application procedure and approval process.**

- (a) The Houma-Terrebonne Regional Planning Commission will use the following procedure for the purpose of approving residential building parks so as to insure that the residential building park development provides for adequate and convenient open space for traffic, vehicular access, utilities, drainage, access of firefighting and other emergency apparatus, light and air, and to avoid congestion of the population.
- (1) Conceptual Approval.
- (a) The purpose of the conceptual phase is to consider the proposed land use of the proposed residential building park. The conceptual plan application shall conform to the following:
- (1) Be made on forms available at the office of the Houma-Terrebonne Regional Planning Commission to include all contiguous holdings of the owner with indication of the portion which is proposed to be developed.
- (2) Have the signature of property owner or agent on application.
- (3) Be accompanied by number of copies as required in application of preliminary survey plat as described below and complying with all aspects of these regulations.
- (4) Be presented to the planning commission seventeen (17) days prior to the meeting of the planning commission.
- (5) Be accompanied by the application fee as specified herein.
- (6) Shall include the name, mailing address, and telephone number of the agent and owner.
- (b) In conjunction with the application, a preliminary survey plat must be submitted. This plat shall depict the following information:
- (1) Name of proposed residential building park;
- (2) Name of developer;
- (3) Name of planner, engineer, architect or surveyor;
- (4) Vicinity map;
- (5) Location of residential building park by section, township and range;

- (6) Date, text of legible letter size, scale (suggested one (1) inch equals six hundred (600) feet), north arrow;
  - (7) Boundary of entire tract to be planned;
  - (8) Boundary of proposed residential building park;
  - (9) Major existing streets and roads;
  - (10) Proposed major streets and roads including those from the major street plan;
  - (11) Proposed land use (single-family, multifamily, commercial, industrial, etc.,) for land within the tract;
  - (12) Important existing features, i.e. pipelines, utility rights-of-way, well locations, etc.;
  - (13) Land use of property adjacent to the boundary of the tract (within three hundred (300) feet);
  - (14) Current standard signature block for approval by commission; and
  - (15) Clearly marked "Conceptual Plan."
- (c) An electronic copy of all drawings submitted with the application shall be submitted by any electronic means accepted by the Planning Director.
- (d) The developer or his agent shall submit to the commission the minimum number of copies of the conceptual plan as required on the application at least seventeen (17) days prior to the meeting of the commission.
- (e) The staff shall review the conceptual plan and provide its comments in writing prior to the meeting. Approval by the commission allows the developer to proceed with the preliminary plan for the residential building park itself. Denial requires a re-submission of the conceptual plans unless a compromise is reached between the developer and the commission. In any case, the developer will furnish the commission with a revised conceptual plan reflecting the agreed compromise.
- (f) Application fee: The application fee to obtain review of the conceptual plan by the planning commission shall be in compliance with the current fee schedule.
- (2) Preliminary Approval.
- (a) The purpose of the preliminary phase is to consider the development from the point of view of layout and configuration of lots, residential building park vehicle access roads and easements. The preliminary plan application shall conform to the following:
- (1) Be made on forms available at the office of the Houma-Terrebonne Regional Planning Commission to include all contiguous holdings of the owner with indication of the portion which is proposed to be divided.
  - (2) Have the signature of property owner or agent on application.
  - (3) Be accompanied by the minimum number of copies of a preliminary survey plat as required in application and as described below and complying with all aspects of these regulations.
  - (4) Be presented to the planning commission seventeen (17) days prior to the meeting of the planning commission.
  - (5) Be accompanied by the application fee as specified herein.
  - (6) Shall include the name, mailing address, and telephone number of the agent and owner.
- (b) Along with the application, the applicant must submit in the electronic format required by the planning department, on a separate document, names and addresses of the property owners within a two hundred fifty (250) foot perimeter of the development. All adjacent property owners shall be listed separately. Notations should be placed on plat indicating the names of the

property owners. (This must be submitted or residential building parks cannot be placed on commission agenda.)

(c) In conjunction with the application, a preliminary survey plat must be submitted. This plat shall depict the following information:

- (1) Name of proposed residential building park;
- (2) Name of developer;
- (3) Name of planner, engineer, architect or surveyor;
- (4) Vicinity map;
- (5) Location of residential building park by section, township and range;
- (6) Date, text of legible letter size, scale (suggested one (1) inch equals two hundred (200) feet), north arrow;
- (7) Proposed street names, lot and block numbers (including major streets);
- (8) Alignment of existing streets, rights-of-way, easements, and servitudes which join or cross the proposed residential building park;
- (9) Section, township and range, city limits and/or parish boundaries which abut or cross the proposed residential building park;
- (10) Geometric layout of lots, blocks, streets, rights-of-way, easements, and servitudes which join or cross the proposed residential building park;
- (11) Proposed land use (single-family, multifamily, commercial, industrial, etc.) for land within the tract;
- (12) Current standard signature block for approval by commission; and
- (13) Clearly marked "Preliminary Plan."

(d) In conjunction with the application, a separate drawing must be submitted showing vehicular circulation patterns. If pedestrian access is provided separately from vehicular access then the drawing shall show pedestrian circulation patterns. Circulation patterns are to show expected ADT for each proposed street and expected ADT increase on existing streets.

(e) In conjunction with the application, letter of availability from utility companies must be submitted, i.e., electric, gas, water, sewerage, telephone, etc.

(f) An electronic copy of all drawings submitted with the application shall be submitted by any electronic means accepted by the Planning Director

(g) The developer or his agent shall submit to the commission the minimum number of copies of the preliminary plan as required on the application at least seventeen (17) days prior to the meeting of the commission. It shall be the responsibility of the developer to secure utility service agreements from either public or private utilities. The service agreement should indicate that the utility has the capacity or facilities to serve the residential building park and that it intends to provide service.

(h) It shall be the responsibility of the developer or his/her agent to furnish the commission, in the electronic format required by the planning department with the names and addresses of all property owners within two hundred fifty (250) foot perimeter of the development when submitting an application to the Houma-Terrebonne Regional Planning Commission which requires a public hearing. All adjacent property owners shall be listed separately.

(i) In addition, for all residential building parks that will hold a public hearing consisting of six (6) spaces or more, a 4' x 4' sign shall be erected by the developer at the location of the proposed residential building park ten (10) days prior to the public hearing depicting the name of the development, owner

and agent, time, date and location of the public hearing, and phone number of the planning commission.

- (j) The planning commission shall hold a public hearing to receive public comments and shall study the plat and the report of the planning commission staff, taking into consideration the requirements of the residential building park regulations. Subsequent to the review and staff recommendations, the planning commission shall advise the applicant of any changes or additions which may be required prior to the approval of the residential building park plat.
- (k) Notification shall be sent by parish staff by certified mail to the developers and adjacent property owners and first class mail to all remaining property owners within a two hundred fifty (250) foot radius of the development at least five (5) days prior to the hearing. The notice shall advise the purpose, date, time, and place of the hearing.
- (l) The staff shall review the comments of public and private utilities and prepare its recommendations, in writing, prior to the next commission meeting.
- (m) Upon review, the commission may grant preliminary approval which will permit the developer to proceed with engineering plans for the construction of the residential building park. If the commission rejects the preliminary plan, the developer shall be required to amend or revise and resubmit his preliminary plan. The planning commission may grant approval with revised plats.
- (n) Application Fee: The application fee to obtain review of the preliminary plan by the planning commission shall be in compliance with the current fee schedule.

(3) Engineering Approval.

- (a) The purpose of the engineering approval phase is to consider the engineering plans of the proposed residential building park prior to construction. The engineering application shall conform to the following:
  - (1) Be made on forms available at the office of the Houma-Terrebonne Regional Planning Commission to include all contiguous holdings of the owner with indication of the portion which is proposed to be developed for a residential building park.
  - (2) Have the signature of property owner or agent on application;
  - (3) Shall include the name, mailing address, and telephone number of the agent and owner;
  - (4) Be accompanied by the application fee as specified herein;
  - (5) Be accompanied by a minimum number of copies as required by the application of a preliminary survey plat as described and complying with all aspects of these regulations;
  - (6) These engineering plans and drawings shall be distributed to the appropriate T.P.C.G. reviewing agencies as required by section 5.3.1. of the subdivision regulations by the same date as they are submitted to the planning commission;
  - (7) Letters and/or signed plats from each utility company showing approval of location of utility servitudes shall be submitted;
  - (8) Be presented to the planning commission seventeen (17) days prior to the meeting of the planning commission.
  - (9) In conjunction with the final approval application, a final survey plat must be submitted. This plat must be prepared by a registered land surveyor and shall depict the following information:

- (a) Name of proposed residential building park. The proposed name shall not duplicate the name of any plat previously recorded.
- (b) Name of developer.
- (c) Vicinity map.
- (d) Proposed street names (including major streets), lot and block numbers and lot area. The municipal street address of each lot shall be shown, where applicable. Addresses should be established by the 911 director.
- (e) Existing recorded legal rights-of-way or easements affecting the property shall be identified.
- (f) Location of property by section, township and range, parish, graphic scale (suggested scale one (1) inch equals one hundred (100) feet or greater), north arrow, and date of plat.
- (g) Location of property lines, existing easements, railroad right-of-way, watercourses, fire hydrants and streetlights; location and names of all existing or platted streets or other public ways within and/or abutting the property.
- (h) In special flood hazard zones, the center natural ground elevation of each proposed residential building park space and the FEMA first floor elevation requirements shall be shown as of the date of the plat. The Terrebonne Parish Flood Insurance Rate (F.I.R.M.) maps are available at the TPCG Planning Department. Said elevations shall be referenced to the latest FEMA elevation and shown in feet and tenths of foot.
- (i) All permanent benchmarks shall be shown on the final survey plat including elevation, datum, date and three point ties. See section 24.7.6.4 for description.
- (j) Standard dedication block for utilities, drainage and street rights-of-way with signature of owner.
- (k) Current standard signature block for approval by planning commission.
- (l) All property boundary surveys shall be performed by persons qualified to practice land surveying and registered in accordance with the provisions of R.S. 37:681, et seq.
- (m) The survey plat shall be prepared in accordance with the most recently approved "Minimum Standards for Property Boundary Surveys" as adopted by the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.
- (n) All property surveyed within Terrebonne Parish shall tie to one (1) of the following:
  - (1) If the property is located within a two thousand (2,000) foot radius of a National Geodetic Survey Monument or a Terrebonne Parish GIS monument, the survey plat shall show the state plan coordinate (Louisiana South Zone) of at least two (2) points within the residential building park. Terrebonne Parish GIS information is available at the Terrebonne Parish Consolidated Government Planning Department.
  - (2) If the property is located outside of the two thousand (2,000) foot radius as specified in No. 1 above, but within a four thousand (4,000) radius of any state, parish or municipal road intersection, the survey plat shall show at least two (2) ties, with bearings and approximate distances.
- (o) Clearly marked final survey plat.

- (p) All property corners shall be monumented and flagged prior to the planning commission signing the final survey plat.
- (10) An electronic copy of all drawings submitted with the application shall be submitted by any electronic method approved by the Planning Director.
- (b) A civil engineer registered in the State of Louisiana shall submit one (1) copy of the construction plans and specifications to the parish engineering department and one (1) copy to the commission along with the minimum number of copies of the preliminary plat as required on the application at least seventeen (17) days prior to the meeting of the commission.
- (c) Partial sets of the construction plans and specifications shall be submitted to the Terrebonne Parish Consolidated Government Pollution Control Division, Consolidated Waterworks District No. 1 and the Utilities Department at the same time plans and specifications are submitted to the parish engineer. These partial sets of plans and specifications shall contain all information pertinent to the responsibilities of these entities.
- (d) The staff and the governmental engineer will evaluate the engineering plans along with the comments of public and private utilities and submit their comments, in writing, prior to the commission meeting.
- (e) Application fee: The application fee to obtain review of the engineering by the planning commission shall be in compliance with the current fee schedule.
- (f) In conjunction with the engineering phase application, engineering drawings and plans must be submitted. These drawings and plans must be stamped and signed by a professional engineer licensed in the State of Louisiana and shall depict the following information:
- (1) Drawings must be submitted showing final alignment of streets and sewerage, method of sewerage disposal and/or tie-in with existing collective systems, lagoons, lift stations, force mains, etc.;
  - (2) Final drainage plan(s) shall be submitted showing existing contours at one-foot intervals or less, proposed final lot grading, and where open ditched are used for drainage, a minimum size and grade of pipe to be used for future or current improvements shall be denoted. Drainage design calculations shall be submitted at the same time;
  - (3) Profiles of all residential building park access roads, proposed sewer lines and ditches shall be submitted, with hydraulic gradient of the drainage system shown on the profile;
  - (4) Plans showing location of utilities, light standards, and fire hydrants shall be submitted; and
  - (5) In conjunction with the engineering plans, a method for mitigating adverse impacts of the proposed development calculated in 1., 2., and 3. above, shall be submitted to the planning commission for their review and approval for the health safety and welfare of the residents of Terrebonne Parish.
- (g) After engineering approval has been granted by the planning commission, the applicant may submit his approved plans to the Terrebonne Parish Council and request confirmation that acceptance of perpetual maintenance by the Terrebonne Parish Consolidated Government for a development so constructed will be granted after final approval is received from the planning commission.
- (4) Final Approval.

- (a) There shall be no outstanding engineering conditions at the final application phase of the development. A special meeting may be called to address the engineering conditions prior to the regular meeting.
- (b) The final acceptance consists of the inspection of the residential building park as constructed and the submission of engineering certification to the commission. The residential building park final approval application shall conform to the following:
  - (1) Be made on forms available at the office of the Houma-Terrebonne Regional Planning Commission.
  - (2) Be accompanied by the minimum number of final survey plats as indicated on the application form and as described below and complying with all aspects of these regulations.
  - (3) Be presented to the planning commission seventeen (17) days prior to the meeting of the planning commission.
  - (4) Be accompanied by the application fee as specified herein.
  - (5) Shall include the name, mailing address, and telephone number of the agent and owner.
  - (6) Be accompanied by the applicant's engineer's certification that the subdivision was constructed in substantial conformance with the approved plans and specifications.
  - (7) Land use shall be depicted on final plat.
  - (8) Drawings indicating any revisions in the plan of construction for the residential building park since the engineering approval was granted shall be submitted to the commission at least nine (9) days prior to final inspection.
- (c) The request for final acceptance shall be made by the engineer representing the developer, in writing, at least nine (9) days prior to the date when the final inspection is requested. The developer's engineer shall submit certification that the construction was completed, a final inspection was conducted and that the construction was found to be in substantial conformance with the plans and specifications. Record drawings indicating any revisions in the plan of construction for the residential building park since the engineering approval was granted shall be submitted to the commission at least nine (9) days prior to final inspection.
- (d) An electronic copy of all drawings submitted with the application as well as any changes shall be submitted by an electronic method approved by the Planning Director.
- (e) The recommendations of the commission together with the engineering certification shall be submitted by the commission to the Terrebonne Parish Consolidated Government prior to its meetings. It shall become the responsibility of the commission to submit the necessary maps to the Terrebonne Parish Consolidated Government for its concurrence, approval and acceptance of improvements for public and perpetual maintenance. For residential building parks approved by the planning commission on a conditional basis, the applicant's engineer shall submit final as built drawings and a final accepted survey plat. The recommendations of the commission's engineer, the engineering certification and a certification by the developer that they will maintain the development perpetually shall be submitted to the commission for its approval.
- (f) Upon receiving final approval and acceptance by the planning commission of a residential building park, the developer may record his plat and begin renting residential building park spaces in the residential building park.
- (g) Should the Houma-Terrebonne Regional Planning Commission grant final approval with a condition, a cash bond, or some other cash security in the amount

of one hundred twenty-five (125) percent of the remaining construction costs has to be secured in favor of Terrebonne Parish Consolidated Government until improvements have been completed. An estimate of the remaining work shall be submitted to the planning commission by the applicant's engineer.

- (h) Application fee: The application fee to obtain final approval review of the residential building park by the planning commission shall be in compliance with the current fee schedule.

#### **DIVISION IV. RESIDENTIAL BUILDING PARK CONSTRUCTION**

##### **Sec. 17-71. Residential building park construction.**

- (a) General design standards.

(1) Condition of soil, groundwater level, drainage, and topography of proposed development sites shall not create hazards to the property or health and safety of the occupants.

(2) Residential building park developments must meet the requirements of the Terrebonne Parish Stormwater Drainage and Detention Manual.

- (b) Residential building park location, area, and setback criteria.

(1) A residential building park shall not be located in the zoned areas of the parish.

(2) Access to residential building parks shall be only from collector streets, arterials, or highways. No residential building park space shall have direct access to or from local residential streets. Residential building parks shall not be located where it is necessary for traffic movement from the park to pass through an existing or proposed residential development.

(3) Residential building parks shall not be permitted at locations so far removed from existing utilities or community services such as fire or police protection and schools so as to place a financial burden on the government for provision and maintenance of these facilities.

(4) Open space and recreation. The residential building park shall contain one or more open space areas intended primarily for the use of park residents on a minimum ratio of 1,000 square feet for every residential building park space.

(5) Residential building park spaces shall not be located closer than fifteen (15) feet from any permanent structure of buildings together with their additions and appurtenances.

(6) Each residential building park space shall provide a minimum of three hundred and sixty (360) square feet of hard-surfaced off-street parking sufficient for two parking spaces.

(7) Individual residential building park spaces shall be assigned a designated number on the plat plan and will be the official address of such site. The designated number shall be displayed or posted in a visible and conspicuous location on each site.

- (c) Residential Building Park space area, setback, drive, parking and addressing requirements.

(1) Maximum density- 8 dwelling units per net acre

(2) Minimum area per unit space- 4,000 square feet

(3) Minimum depth per unit space - 75 feet

(4) Minimum width per unit space - 50 feet

- (5) Front yard setback per unit space - 20 feet. Where provisions are made to allow for off-street parking behind the front setback line, the setback shall be reduced to 10 feet.
  - (6) Side yard setback per unit space (each side) 5 feet/5 feet
  - (7) Rear yard setback - 5 feet
- (d) Residential building park access drive standards.
- (1) Access to parks shall be provided by a twenty foot (20') wide hard surfaced private drive located within private servitudes of access having a minimum width of forty feet (40').
  - (2) Where only one (1) drive is to be provided, each residential building park shall include an adequate circular turnaround at the rear of the property with a minimum inside hard surfaced radius of thirty-five (35) feet for emergency vehicles, garbage trucks and other vehicles.
- (e) Utilities.
- (1) Utilities within residential building parks shall comply with Chapter 6, Article II of the Parish Code. When community sewage is not available, a private system must comply with the requirements of the Louisiana Health and Hospitals.
  - (2) Garbage and trash disposal. The contract collector is hereby authorized and directed to collect and dispose of all garbage and trash or other waste matter as defined in section 11-21, as is placed in the type of container, and in the manner and at place specified in section 11-25. The contract collector is expressly prohibited from collecting any such garbage or trash or other waste matter other than that which is put out for collection in compliance with section 11-25.
  - (3) Lighting. Adequate lighting must be provided per parish recommendation and/or road lighting district requirements. The spacing shall be two hundred (200) feet per parish regulation; however, the installation of the lighting is acceptable on the rear of the residential building park space rather than on the street per the subdivision regulations. When lighting is placed at the rear of the residential building park space and the parish is responsible for maintenance, it must be accessible to parish equipment and/or maintenance personnel. Failure to provide adequate access shall result in no repairs to the lighting.
  - (4) Standard fire hydrants and fire service lines shall be installed in such a manner that a fire hydrant shall be located within two hundred and fifty (250) feet of each residential building park space.

## DIVISION V. NONCONFORMING USES AND OPERATIONAL STANDARDS

### **Sec. 17-72. Nonconforming uses.**

- (a) Residential building parks which existed lawfully prior to the passage of this ordinance, although nonconforming to the residential building park ordinance, may continue as a nonconforming use. However, such nonconforming parks may not be permitted to expand in area or scope without obtaining residential building park approval.

### **Sec. 17-73. Residential building park operational standards.**

- (a) Occupational license. Prior to the opening of a residential building park, the owner or operator shall obtain an occupational license from the parish.

(b) Revocation. A permit to maintain and operate a residential building park may be revoked when the owner, operator, or person in charge has been found guilty by a court of competent jurisdiction of violating any provision of this article. After such conviction, the permit may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with the law.

\*\*\*\*\*

The Chairwoman recognized the public for comments on the following:

C. A proposed ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.3 Definitions to include additional definitions relating to Residential Building Parks

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

Mr. J. Pizzolatto moved, seconded by Mr. K. Voisin, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: C. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7763

AN ORDINANCE TO AMEND THE SUBDIVISION REGULATIONS, CHAPTER 24, SECTION 24.3 DEFINITIONS TO INCLUDE ADDITIONAL DEFINITIONS RELATING TO RESIDENTIAL BUILDING PARKS AS PER "ATTACHMENT A."

## 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, to amend the Subdivision Regulations, Chapter 24, Section 24.3 Definitions to include additional definitions relating to Residential Building Parks as per "Attachment A."

## 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 of 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of January, 2010.

\* \* \* \* \*

#### ATTACHMENT A

##### Amend Chapter 24 of the Subdivision Regulations, Section 24.3 "Definitions"

Proposal: Revise Chapter 24, Section 24.3. Definitions in the following manner:

**Include the following definitions in Sec. 24.3 Definitions.:**

Modular Home: A sectional prefabricated building or house that consists of multiple modules or sections, which are manufactured to International Residential Code requirements, in a remote facility and then delivered to their intended site of use. Modular homes are built without axles and are transported by means of a flat bed truck.

Residential Building Park: a parcel or tract of land under single ownership which is or has been used or is planned or improved for the placement thereon of three or more structures for single-family or two-family dwelling purposes in the unzoned areas of the parish. Mobile homes shall not be permitted within Residential Building Parks.

Residential Building Park Access Drive: a private thoroughfare which affords internal circulation through a residential building park.

Residential Building Park Space: a parcel of land in a residential building park designated for the accommodation of one dwelling unit.

\*\*\*\*\*

The Chairwoman recognized the public for comments on the following:

D. A proposed ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.4.2.2 Approval Process B to include Residential Building Parks

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

Mr. J. Pizzolatto moved, seconded by Mr. J. Cehan and Mr. K. Voisin, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: C. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7764

AN ORDINANCE TO AMEND THE SUBDIVISION REGULATIONS, CHAPTER 24, SECTION 24.4.2.2 APPROVAL PROCESS B TO INCLUDE ADDITIONAL DEFINITIONS RELATING TO RESIDENTIAL BUILDING PARKS AS PER "ATTACHMENT A."

#### 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, to amend the Subdivision Regulations, Chapter 24, Section 24.4.2.2 Approval Process B to include Residential Building Parks as per "Attachment A."

#### 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 of 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of January, 2010.

\* \* \* \* \*

### ATTACHMENT A Amend Chapter 24 of the Subdivision Regulations, Section 24.4.2.2 "Approval Process B, Mobile Home"

**Proposal:** Revise Chapter 24, Section 24.4.2.2. "Approval Process B" in the following manner:

#### **24.4.2.2 Approval Process B, Mobile Home and Residential Building Parks:**

Mobile home parks as defined herein will follow Approval Process B. This process requires the submission of the proper survey plat and a notarized maintenance agreement. Approval may be obtained at one meeting of the planning commission.

Residential building parks as defined herein will follow the approval process as described in Chapter 17 "Mobile Homes and Residential Building Parks."

\*\*\*\*\*

The Chairwoman recognized the public for comments on the following:

- E. A proposed ordinance amending the Parish Code of Terrebonne Parish, Chapter 2, Administration: Article V, Policies and Procedures; Section 2-107 to amend policies pertaining to the payments to outside vendors for goods and services

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, J. Cehan, and P. Lambert

NAYS: C. Voisin

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. A. Tillman.

SECONDED BY: Mr. J. Cehan.

## ORDINANCE NO. 7765

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 2, ADMINISTRATION; ARTICLE V, POLICIES AND PROCEDURES; SECTION 2-107 TO AMEND POLICIES PERTAINING TO THE PAYMENTS TO OUTSIDE VENDORS FOR GOODS AND SERVICES; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

## SECTION I

WHEREAS, the parish finance department has seen an increase in invoices processed over the last several years, partially related to federal and state grants, including capital projects, stimulus and recovery programs, and

WHEREAS, the “payselect”, which is currently defined as the processing of payments to vendors for goods and services, is processed on a bi-monthly basis to coincide with the maturity of investments and regular council meetings of the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month except during conflicting holiday months, and

WHEREAS, it is the recommendation of the Finance Department to change the processing and release of disbursements from bi-monthly to weekly, which will assist the parish in meeting federal and state program deadlines; processing drawdowns from these programs for the release of the disbursements; evenly spread the processing deadlines; and almost eliminate the need for processing checks in between scheduled “payselects”.

BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government to amend the Parish Code of Terrebonne Parish, Chapter 2, Article V, and Section 2-107 to amend the bill paying procedures for outside vendors to read as follows:

## CHAPTER 2, Administration

## ARTICLE V, Policies and Procedures

## SECTION 2-107, “Bill paying procedures for outside vendors”

- (a) The purpose of this section is to establish a policy and procedure for the payment for goods and services to outside vendors for the parish.
- (b) All departments and divisions of the parish government are affected by this section.
- (c) All incoming invoices and statements from outside vendors are to be directed and received at the finance department, accounting division.
- (d) All bill payments shall be in strict compliance with the operating and capital budgets. Bills are to be reviewed and matched by the accounting personnel to documentation furnished by the approving departments. A “bill list” will be prepared each Monday and distributed to Administration and Parish Council for review prior to the release of the checks or ACH wires on Thursday. A list of the pay dates, deadlines and holiday exceptions will be posted on the parish intranet bulletin board and parish web page.
- (e) The bill list shall include the date processed, vendor, invoice date and number, fund number, voucher number, purchase order number and payment amount. Each bill list will be introduced at the regularly scheduled council meetings for approval by motion.
- (f) The early release of checks and/or wires processed may be made upon request for special or emergency circumstances. A list of regularly scheduled early release checks shall be furnished annually to Administration and Council including, but not limited to utilities, bond payments, taxes, payroll withholdings, etc.
- (g) On a monthly basis, a year-to-date vendor analysis shall be processed and distributed. The report shall include the date processed, vendor name and number, voucher number, purchase order number, check date, number and amount, and the cumulative year-to-date payments for the current calendar year.

## 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 or other portions of this ordinance shall remain in full force and effect, the provisions of this section 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of January, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

- F. A proposed ordinance to rezone property described as Lots 1 & 2; Duhe' Estates, Section 95 and 96, T17S-R17E (Adrienne S. Duhe', applicant) from R-1 (Single-Family Residential District) to C-2 (General Commercial District) (*Planning Commission and Staff recommend approval.*)

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

Mr. J. Pizzolatto moved, seconded by Mr. J. Cehan, "THAT, the Council close the aforementioned public hearing."

The Chairwoman called for a vote on the motion offered by Mr. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. J. Cehan.

ORDINANCE NO. 7766

AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-2 (GENERAL COMMERCIAL DISTRICT), LOTS 1 & 2, DUHE' ESTATES, SECTIONS 95 & 96, T17S-R17E, TERREBONNE PARISH, LOUISIANA; ADRIENNE DUHE', APPLICANT.

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, hereby declares that it has adopted a resolution giving notice of intent to adopt the following ordinance hereto; and

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, has conducted a public hearing on Wednesday, January 13, 2010, and

WHEREAS, after considering all comments received, if any, the following action is hereby taken.

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Zoning Map of the Parish of Terrebonne be hereby amended so as to rezone from R-1 (Single-Family Residential District) to C-2 (General Commercial District), Lots 1 & 2, Duhe' Estates, Sections 95 & 96, T17S-R17E, Terrebonne Parish, Louisiana.

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

THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 13<sup>th</sup> day of January, 2010.

\* \* \* \* \*

Mr. B. Hebert moved, seconded by Mr. J. Cehan, "THAT, the Council continue with the regular order of business."

The Chairwoman called for a vote on the motion offered by Mr. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Mr. Lloyd Ruffin, Southdown Mandalay Road resident and owner of C & L Properties in Terrebonne Parish, who expressed his concerns relative to possible suspensions to take place for third party inspectors in Terrebonne Parish. He expressed his concerns relative to only one third party inspector having a monopoly and controlling all of the inspections.

The Chairwoman recognized Mr. Lee Rutter, local home builder, who stated that since the Building Codes were adopted in 2005, Act XII provided the ability to use third party providers. He stated that it is his understanding that some of the third party providers may be in a position that they will be suspended. He expressed his concerns that if these third party providers are suspended there will only be one potential local provider being South Central Planning. He stated that Act XII does provide to be able to outside of the area, anywhere in the State. He stated that discussions have taken place with providers outside the area and they do not wish to come to this area because they have their own territory they want to stay in. He stated that if these people are denied there will be only one third party provider available in the Parish. He requested the Council take the matter under advisement to determine if anything can be done to assist.

Upon questioning by Vice-Chairman C. Voisin, Planning & Zoning Director P. Gordon stated that there have been some complaints lodged on some third party providers to the State Code Council and informal hearings have held and there will be some formal hearings. He stated that it is not a function of the Regional Code Council or the Parish Council. He stated there is an appeal process with the State Code Council.

Vice-Chairman C. Voisin requested the Planning Director to look into the situation of third party providers possibly being suspended and report back to the Council where the situation is headed.

Planning Director P. Gordon stated that he was Chairman of the Regional Code Council last year and he is Vice-Chair this year. He stated that the Cooperative Endeavor Agreement with South Central Planning comes up in April 2010 and discussions have already begun with the Director and will be brought back to the Council with some recommendations.

Mr. Lee Rutter stated that South Central Planning is the Chief Building Official and basically that the third party providers are actually competition to South Central Planning. He stated that he asked at a Regional Code Council meeting where the complaints came from on the third party providers and it is his understanding that all the complaints came from South Central Planning.

Councilman B. Hebert requested that the matter of third party providers in Terrebonne Parish possibly being suspended be assigned to the appropriate committee for evaluation.

The Chairwoman recognized Mr. Willie Green, Gulf Coast Teaching Family Services, who explained that the organization is non-profit, located in Houma, and they provide four programs that serve the homeless, both permanent and transitional. He stated that last week the organization met with the Houma Police Department to set up a plan where the caseworkers who are on call 24/7 would be contacted by the Police Department regarding getting homeless people off the streets in freezing conditions. He stated that they would like to work with the churches and get them to participate with the planning process to address the homeless services. He announced a Homeless Coalition Meeting tomorrow at noon at the Main Library and invited church organizations and Council Members to participate.

Parish President M. Claudet stated that the Houma Police Department staff was instructed to have a plan in place for the recent freezing temperatures relative to homeless. He stated a number of churches contacted the Parish. Mr. Ralph Mitchell will begin on Tuesday and will be in charge of establishing a group to address the homeless people during freezing conditions. He thanked Mr. Green and the Gulf Coast Teaching Family Services for their assistance with the last freeze.

Upon questioning by Vice-Chairman C. Voisin, Mr. Green stated that in the case of a woman with a child/children, they have arrangements with local motels to get them out of the freezing temperatures. He stated that single males are usually referred to the Bunk House, unless they are banned from the Bunk House for any reason.

The Chairwoman recognized Ms. Jennifer Goulas, Sugar Cane Street, who questioned to whether or not all compliances were followed with regard to the federal funding for the proposed Three Oaks Development by Coastal Phoenix, LLC. She also questioned whether Mr. Barry Blackwell's position with the Waterworks District gives him privileged information being he is one of the property owners of the property in question. She requested that the issues of possible non-compliance be addressed.

Parish President M. Claudet stated that his office received Ms. Goulas' email first thing this morning and a written response is being prepared. He explained that Coastal Phoenix, LLC was given a conditional award of \$10,000,000. by TPCG on July 22, 2009. He stated that approval is required by the State's Office of Community Development for every project TPCG implements under the CDBG Disaster Funds granted to TPCG by the State of La. He stated that the HUD Form 2880, applicant disclosure, has not been completed for this particular project by TPCG, who is the grant recipient of the funds from the State because the State has not supplied with the application packet. He stated Coastal Phoenix, LLC did disclose Devere Construction as its general contractor in Section VII of the proposal. He stated that Devere Construction and Coastal Phoenix are not listed on the federal government's excluded party list service, which the Parish is required to check before entering into a contract utilizing federal funds. He stated that a submission of a Dunn's number was not required by the RFP; however, it will be required before any contract with Coastal Phoenix will be executed. He further stated that all Council Members and Parish Employees are subject to the 24-CFR Regulation mentioned in Ms. Goulas'

presentation and Mr. Blackwell is an employee of the Terrebonne Parish Consolidated Waterworks District No.1, which is a politically subdivision of the State, separate and apart from Terrebonne Parish Government. He stated Mr. Blackwell did not exercise any function or responsibility with respect to CDBG activities assisted and he was not in a position to participate in the decision making process. He also stated that TPCG has requested an opinion on this matter that was prepared by the Parish Attorney. He informed Ms. Goulas that she will be receiving a written response from his office no later than Friday.

The Chairwoman recognized Mr. Alan Gibson, Grand Caillou Road resident, who expressed his support for the proposed cold storage facility from the fisheries community because there was some dispute as to whether they had interest or not. He assured that the fisheries community does have a solid interest and support for such a facility. Upon questioning by Councilman K. Voisin, Mr. Gibson explained approximately how many pounds of seafood are stored in a cold storage facility and why placing it closer to a highway will allow for a lot less complaints about the loud activity that takes place when loading and unloading.

Councilman K. Voisin explained that there is no capacity to store seafood in cold storage in Terrebonne Parish, so it is shipped out.

The Chairwoman called for a report on the Budget & Finance Committee meeting held on 1/11/10, whereupon the Committee Chairman, noting that ratification of the minutes calls a public hearing on 1/27/10, rendered the following:

#### **BUDGET & FINANCE COMMITTEE**

**JANUARY 11, 2010**

The Chairman, Billy Hebert, called the Budget & Finance Committee meeting to order at 5:34 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Tillman and the Pledge of Allegiance led by J. Cehan. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Ms. A. Williams.  
SECONDED BY: Mr. K. Voisin.

#### **RESOLUTION NO. 10-003**

WHEREAS, on December 15, 2009 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 09-1/9-78 for the Annual Recreation Equipment (Team Sports) for the Recreation Department, and

WHEREAS, after careful review by the Purchasing Division, and approved by Mary Crochet, Warehouse Manager and Sterling Washington, TPR Director, it has been determined that the bids of Riddell Sports in the amount of \$871.72; BSN Sports in the amount of \$1,087.56; Baden Sports in the amount of \$1,437.12; Cannon Sports in the amount of \$3,714.48; and J.P. Sports in the amount of \$30,094.66 are the lowest qualified bidders on various items; and

WHEREAS, Terrebonne Parish Consolidated Government reserves the right to increase or decrease quantities at its sole discretion, based upon the same unit prices.

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 bids of Riddell Sports, BSN Sports, Baden Sports, Cannon Sports, Riddell Sports, and JP Sports are the lowest qualified bidders for Bid No. 09-1/9-78 for the Annual Recreation Equipment (Team Sports) for the Recreation Department as per the attached bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the

recommendation of Parish Administration is approved and the bids of Riddell Sports in the amount of \$871.72; BSN Sports in the amount of \$1,087.56; Baden Sports in the amount of \$1,437.12; Cannon Sports in the amount of \$3,714.48; and J.P. Sports in the amount of \$30,094.66 are the lowest qualified bidders on various items as per the attached bid forms.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 10-004

WHEREAS, on December 15, 2009 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 09-1/9-77 for the Annual Recreation Equipment (T-shirts and Caps) for the Recreation Department, and

WHEREAS, after careful review by the Purchasing Division, and Sterling Washington, TPR Director, it has been determined that the bid of Ad-Wear & Specialty in the amount of THIRTY ONE THOUSAND TWO HUNDRED FIFTY FOUR DOLLARS AND ZERO CENTS (\$31,254.00), and

WHEREAS, Terrebonne Parish Consolidated Government reserves the right to increase or decrease quantities at its sole discretion, based upon the same unit prices.

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 Ad-Wear & Specialty is the lowest qualified bid for Bid No. 09-1/9-77 for the Annual Recreation Equipment (T-shirts and Caps) for the Recreation Department as per the attached bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration is approved and the bid of Ad-Wear & Specialty in the amount of THIRTY ONE THOUSAND TWO HUNDRED FIFTY FOUR DOLLARS AND ZERO CENTS (\$31,254.00) is the lowest qualified bid as per the attached bid forms.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

RESOLUTION: Authorizing the Parish President to execute a Cooperative Endeavor Agreement for the donation of one street sweeper from the Civic Center to the Houma-Terrebonne Housing Authority.

Ms. A. Williams moved, seconded by Mr. A. Tillman.

(\*\*SUBSTITUTE MOTION OFFERED; SECOND SUBSTITUTE MOTION OFFERED; EACH SUBSTITUTE MOTION WITHDRAWN; MOTION OFFERED)

Parish Manager Al Levron explained that several years ago, Administration requested authorization to surplus an old street sweeper (The Penguin); that the unit was transferred to the Civic Center, but was not used due to contract labor cleaning the parking lot; and that Administration recommends transferring the unit to the Houma Housing Authority. He continued that the Parish will maintain joint use of the street sweeper as part of the legal language in the document.

Parish Attorney Courtney Alcock stated that the Legal Department can prepare a cooperative endeavor agreement outlining the terms of the agreement and that the street sweeper can be considered providing services to the needy. She added that the agreement can include a provision stating that the unit could be returned to the Parish Government and that typically the equipment is not surplused if the Parish entered into a cooperative endeavor agreement with another political subdivision.

Mr. J. Pizzolatto offered a substitute motion, seconded by Mr. K. Voisin, "THAT, the Budget & Finance Committee retain the matter relative to executing a cooperative endeavor agreement with the Houma Housing Authority for the use of a Parish street sweeper for two weeks in order to determine responsibility for maintenance and repairs to the street sweeper." (\*\*SUBSTITUTE MOTION WITHDRAWN AFTER DISCUSSION)

Parish Attorney Courtney Alcock stated that the Legal Department would prepare a contract with respect to the maintenance and repair cost for the street sweeper for consideration at Wednesday's Council meeting.

Houma Housing Authority Executive Director Wayne Thibodeaux explained that the Parish does not provide street sweeping services or maintain Senator Circle; stated that when the Housing Authority was created and funded, the Parish (City of Houma) was obligated to provide services for Senator Circle Housing Development and Bayou Towers; noted that the Parish has never fulfilled its obligation to provide services; and added that the Housing Authority is willing and able to maintain the street sweeper and agreeable to sign an agreement to said effect.

Mr. K. Voisin offered a second substitute motion, "THAT, the Budget & Finance Committee authorize the Parish President to execute a Cooperative Endeavor Agreement with the Houma Housing Authority for the use of a street sweeper contingent upon the submission of a contract for consideration at Wednesday's Council meeting." (\*\*SECOND SUBSTITUTE MOTION FAILED DUE TO THE LACK OF A SECOND)

Committee Member J. Pizzolatto withdrew the substitute motion.

Committee Member C. Voisin requested that the Legal Department prepare the contract for submission at Wednesday's Council meeting.

Ms. A. Williams offered an amendment, seconded by Mr. A. Tillman, "THAT, the Budget & Finance Committee retain until Wednesday's Council meeting the matter relative to authorizing the Parish President to execute a Cooperative Endeavor Agreement for the donation of one street sweeper from the Civic Center to the Houma-Terrebonne Housing Authority."

The Chairman called for the vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.  
SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-005

WHEREAS, prices were obtained through the Louisiana State Commodity Catalog by the Terrebonne Parish Consolidated Government for the purpose of purchasing Portable Type Generators for various departments under State Contract, and

WHEREAS, after careful review by the Parish Administration it has been determined that the total purchase should not exceed One Hundred Seventy-two Thousand, Nine Hundred Fifty-six Dollars (\$172,956.00) from Arcco Company Services, Inc. for the purchase of Portable Type Generators should be accepted as per the State Contract Catalog, and

WHEREAS, the Parish Finance Department has verified that funds are available for the purchase of the aforementioned generators, and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned generator purchases at a total cost not to exceed of One Hundred Seventy-two Thousand, Nine Hundred Fifty-six Dollars (\$172,956.00) as per attached State Purchasing Contract Catalog.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and the purchase of the portable type generators be accepted as per the attached forms.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 10-006

WHEREAS, quotations were obtained by the Terrebonne Parish Consolidated Government for the purpose of performing all work (labor, materials and equipment) necessary for and incidental to the roof removal and replacement and replacement of all walls on the Airbase Fire Station for the Houma Fire Department, and

WHEREAS, after careful review by Todd Dufrene, Fire Chief, it has been determined that the lump sum price of Sixty-three Thousand, Eight Hundred Dollars (\$63,8000.00) for the roof removal and replacement and replacement of all walls from Bryan Porche Construction LLC for the above referenced roof removal and replacement and replacement of all walls should be accepted per the attached documents, and

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available in Account Number 204-222-8932-01 for the aforementioned referenced roof removal and replacement and replacement of all walls, and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned roof removal and replacement and replacement of all walls at a total cost of Sixty-three Thousand, Eight Hundred Dollars (\$63,8000.00) as per the attached documents.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget & Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the quotation for the aforementioned roof removal and replacement and replacement of all walls be accepted as per the attached forms.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 10-007

WHEREAS, prices were obtained through the Louisiana State Commodity Catalog by the Terrebonne Parish Consolidated Government for the purpose of purchasing eight (8) new/unused Large Size Sedan, 4 Door, Rear Wheel Drive, Police Patrol Automobile for the Houma Police Department under State Contract #407708, and

WHEREAS, after careful review by the Parish Administration it has been determined that the total price of One Hundred Eighty-four Thousand, Nine Hundred Ninety-two Dollars (\$184,992.00) from Terrebonne Ford for the purchase of eight (8) new/unused Large Size Sedan, 4 Door, Rear Wheel Drive, Police Patrol Sedan should be accepted as per the State Contract Vehicle Catalog and the under provisions set forth in the Louisiana Revised Statutes Title 39:1710, and

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available in the Account Number 204-211-8914-01 for the purchase of the aforementioned vehicle, and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned vehicle purchase at a total cost of One Hundred Eighty-four Thousand, Nine Hundred Ninety-two Dollars (\$184,992.00) as per the attached State Purchasing Contract Catalog.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the purchase of the vehicles be accepted as per the attached forms.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. C. Voisin.  
SECONDED BY: Ms. A. Williams.

## RESOLUTION NO. 10-008

WHEREAS, prices were obtained through the Louisiana State Commodity Catalog by the Terrebonne Parish Consolidated Government for the purpose of purchasing two (2) new/unused Four (4) Door, Two (2) Wheel Drive Utility Vehicles (Ford Explorer) for the Houma Fire Department under State Contract #408274, and

WHEREAS, after careful review by the Parish Administration it has been determined that the total price of Thirty-nine Thousand, Three Hundred Thirty-eight Dollars (\$39,338.00) from Terrebonne Ford for the purchase of two (2) new/unused Four (4) Door, Two (2) Wheel Drive Utility Vehicles (2010 Ford Explorer) should be accepted as per the State Contract Vehicle Catalog and the under provisions set forth in the Louisiana Revised Statutes Title 39:1710, and

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available in Account Number 204-222-8914-01 for the purchase of the aforementioned vehicles, and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned vehicle purchases at a total cost of Thirty-nine Thousand, Three Hundred Thirty-eight Dollars (\$39,338.00) as per the attached State Purchasing Contract Catalog.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the purchase of the vehicles be accepted as per the attached forms.

## THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. A. Tillman.  
SECONDED BY: Mr. A. Williams.

## RESOLUTION NO. 10-009

A Resolution introducing an Ordinance to declare vehicles, computers and other miscellaneous equipment from the Finance, Emergency Preparedness, and Pollution Control Departments as surplus as presented in Exhibit "A" and authorizing said items to be disposed of by public bid, negotiated sale, junked or any other legally approved method.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby introduce an ordinance which will declare Exhibit "A" as surplus and authorizes the Parish President to dispose of said items by public bid, negotiated sale, junked or any other legally approved method, and that a public hearing on said matter be called for Wednesday, January 27, 2010 at 6:30 o'clock p.m.

## THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 10-010

WHEREAS, on December 16, 2009 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 09-S/P-61(Re-Bid) Surplus Sale of Adjudicated Property located at 113 Leona Street (LOT 9 BLOCK 5 ENGERON SUBD.) and

WHEREAS, after careful review by Parish Administration it has been determined that the highest bid received is that of Willis Trosclair Jr. in the amount of Four Thousand Eight Hundred Dollars (\$4,800.00) and that the bid should be accepted as per attached bid forms, and

WHEREAS, the Parish Administration has recommended the acceptance of the aforementioned bid for Bid No. 09-S/P-61(Re-Bid) Surplus Sale of Adjudicated Property located at 113 Leona Street (LOT 9 BLOCK 5 ENGERON SUBD.) as described in attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED by Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration is approved and the bid of Willis Trosclair Jr. is accepted as per attached bid forms.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 10-011

WHEREAS, on December 10, 2008 sealed quotes were received for purpose of providing Annual Service Contract for Mowing/Maintenance of Sewer Lift Stations and Treatment Plant Facilities Mowing, and

WHEREAS, the contract was effective from the date of notice of award for a period of one (1) year,

WHEREAS, as noted in the bid documents, Terrebonne Parish Consolidated Government may exercise an option to extend the bid for three (3) additional years in one (1) year increments at the same unit prices agreeable by both parties.

WHEREAS, AMR's Lawn and Landscape, LLC has agreed to extend their current prices until December 31, 2010 and,

WHEREAS, the Parish Administration wishes to extend the current prices for an additional one (1) year, and

WHEREAS, both parties have mutually agreed to extend the current prices, at the same

unit prices for an additional one (1) year period,

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the bid prices of the Annual Contract for Mowing/Maintenance of Sewer Lift Stations and Treatment Plant Facilities Mowing be extended for an additional one (1) year period at the same unit prices.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

The Chairman recognized Mr. Reggie Bourg of Country Drive who inquired about the funding source for the Government Complex land purchase and where the property is located.

Chief Finance Officer Jamie Elfert explained that \$1,400,000.00 in funding is being derived from Sales Tax bonds and that \$437,269.00 is being received in sales tax interest; and that \$2,062,731.00 is coming from the General Fund.

Committee Member P. Lambert stated that the proposed Government Complex land borders the north side of property adjacent to Southland International.

Committee Members C. Voisin and A. Williams questioned the reason as to why the land/site purchase is combined with several other needed Parish projects.

Parish President Michel Claudet stated that he understood that the separation of the projects was suggested; that the matter would either be approved or denied; that Administration needed to determine whether or not the property was still available and if the contract for Equity Bridge could be extended for acceptance; and that the matter would be presented for public hearing in two weeks.

Committee Member C. Voisin expressed his belief that the purchase of the land would not be legally permissible based upon the current land appraisal including improvements to be completed after the purchase of the property.

Committee Member J. Pizzolatto cited an example of current real estate values.

Parish Manager Al Levron presented a power point presentation on improvements to the 1-1B Forced Drainage System noting that the 1-1B watershed is the largest watershed in the Parish.

Parish Attorney Courtney Alcock stated that introducing separate ordinances would be a substantial change in the existing ordinance and that the Legal Department could look into land purchase options.

Additional discussion ensued relative to the land purchase acquisition for a Government Complex.

Mr. C. Voisin moved, seconded by Mr. J. Cehan, "THAT, the Budget & Finance Committee direct Administration to prepare two ordinances amending the 2009 Adopted Budget and the 5-Year Capital Outlay to return to the General Fund \$1.8 million used in years 2002 and 2003 to supplement the group insurance benefits; to fund Capital Projects listed as follows:

- 1) Bayou LaCarpe, Phase D - \$1,700,000.00
- Valhi Boulevard – \$600,000.00

- Bayou Gardens Boulevard Extension - \$425,000.00
- Screw Gate, Highway 56 - \$100,000.00
- Engeron Street Drainage – \$100,000.00
- Westside Boulevard, Phase II - \$500,000.00
- Highway 311/Equity Bridge - \$681,488.00
- Industrial Boulevard Rehabilitation/Turning Lane - \$30,052.00

2) Land purchase - \$3,400,000.00 and Site Development - \$1,400,000.00 and to authorize the Parish President to execute an agreement to purchase and sell a 70-acre tract of land belonging to North Terrebonne Investors, LLC & Cropland Investors Group, LLC;  
that a second legal appraisal of the proposed site and land purchase be conducted; and that all matters be resubmitted in an expeditious manner.”

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: J. Cehan, B. Hebert, P. Lambert, A. Tillman, C. Voisin, and A. Williams.

NAYS: T. Cavalier, J. Pizzolatto, and K. Voisin.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. K. 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. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 7:11 p.m.

Billy Hebert, Chairman

Suzette Thomas, Minute Clerk

Mr. B. Hebert moved, seconded by Mr. J. Cehan, “THAT, the Council accept and ratify the minutes of the Budget & Finance Committee meeting held on 1/11/10.”

The Chairwoman called for a vote on the motion offered by Mr. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Policy, Procedure, & Legal Committee meeting held on 1/11/10, whereupon the Committee Chairman rendered the following:

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

**JANUARY 11, 2010**

The Chairman, Clayton J. Voisin, called the Policy, Procedure, & Legal Committee meeting to order at 7:21 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by J. Pizzolatto and the Pledge of Allegiance led by P. Lambert. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

Mr. A. Tillman moved, seconded by Mr. J. Cehan and Mr. B. Hebert, "THAT, the Policy, Procedure, & Legal Committee concur with the recommendation of Administration to co-sponsor the 2010 Regional Diabetes Expo on January 13, 2010 at the YMCA by providing and delivering 40 tables."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Policy, Procedure, & Legal Committee co-sponsor the annual NAACP Youth Council's Martin Luther King Day Programs on January 15 – 18, 2010, as per policy."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "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. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 7:23 p.m.

Clayton J. Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. C. Voisin, seconded by Mr. J. Cehan, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 1/11/10."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Council Clerk P. Labat stated that there is a proposed resolution that was requested to be revised and adopted tonight at the 1/11/10 Budget & Finance Committee, regarding donation of a street sweeper.

Upon questioning by Vice-Chairman C. Voisin, Parish Attorney C. Alcock stated that the donation of the street sweeper to the Houma Housing Authority is not considered a prohibited donation.

OFFERED BY: Mr. B. Hebert.  
SECONDED BY: Mr. K. Voisin.

## RESOLUTION NO. 10-012

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE HOUMA TERREBONNE HOUSING AUTHORITY AND TERREBONNE PARISH CONSOLIDATED GOVERNMENT FOR THE DONATION OF ONE STREET SWEEPER.

WHEREAS, Louisiana Revised Statute 33:1324 provides that any parish or political subdivision of the state may make agreements between or among themselves to engage jointly in the construction, acquisition or improvement of any public project or improvement provided that at least one of the participants to the agreement is authorized under a provision of law to perform such activity for completion of the undertaking; and

WHEREAS, the Houma Terrebonne Housing Authority and the Terrebonne Parish Consolidated Government recognize the necessity of providing litter free and clean neighborhoods to Terrebonne Parish; and

WHEREAS, TPCG is authorized to provide assistance to programs for the benefit of the needy; and

WHEREAS, the purpose of this agreement is to further the duty of the HTHA, namely that power and duty to provide safe litter free and clean dwelling accommodations in Terrebonne Parish for residents, regardless of their income (LA R.S. 40:392); and

WHEREAS, Terrebonne Parish Consolidated Government agrees to donate, cede, convey, transfer, without any warranty whatsoever, unto the Houma Terrebonne Housing Authority the following described property, to wit: one 1998 Elgin Pelican SE, Serial #S8697S for use in maintaining properties of the Housing Authority; and

WHEREAS, TPCG finds that donating the street sweeper to improve the cleanliness and the quality of life in the HTHA low income housing areas for the citizens of Terrebonne Parish will serve a public purpose, is not gratuitous and that each party has a reasonable expectation of receiving at least equivalent value in exchange for the expenditure or transfer of its public funds; and

NOW THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council, on behalf of Terrebonne Parish Consolidated Government, authorizes the Parish President to execute an Intergovernmental Agreement with the Houma Terrebonne Housing Authority substantially similar to the attached document.

## THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 13<sup>th</sup> day of January, 2010.

\* \* \* \* \*

The Chairwoman called for a report on the Public Services Committee meeting held on 1/11/10, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 1/27/10, rendered the following:

**PUBLIC SERVICES COMMITTEE****JANUARY 11, 2010**

The Chairman, Joey Cehan, called the Public Services Committee meeting to order at 7:28 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Williams and the Pledge of Allegiance led by B. Hebert. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Ms. A. Williams.  
SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-013

Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under Section 3037 of TEA-21 and/or Section 5316 of SAFETEA-LU, Job Access and Reverse Commute Competitive/(Formula) Grants.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government:

1. That the Parish President, Michel Claudet is authorized to execute and file an application on behalf of Terrebonne Parish Consolidated Government with the Louisiana Department of Transportation and Development, to aid in financing the operating assistance projects pursuant to the Job Access and Reverse Commute Grant Program, 49 CFR 5316.
2. That the Parish President is authorized to execute and file with such application an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the Parish President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development as may be required in connection with the application or the project.
4. That the Parish President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the Parish President is authorized to execute grant contract agreements on behalf of Terrebonne Parish Consolidated Government with the Louisiana Department of Transportation and Development for aid in the financing of the operating assistance projects.

6. This resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

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OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 10-014

A resolution authorizing the execution of Amendment No. 6 for the Engineering Agreement for Parish Project No. 99-BRG-10 (Bayouside Drive Bridge).

WHEREAS, the Terrebonne Parish Consolidated Government entered into an engineering agreement dated June 18, 1999, with Shaw Coastal, Inc., to perform engineering services for Parish Project No. 99-BRG-10, Bayouside Drive Bridge, and

WHEREAS, the engineering agreement between OWNER and ENGINEER has provisions for certain limitations for Basic and Additional Services, and

WHEREAS, the firm of Shaw Coastal, Inc., has been asked to provide additional Engineering, Project Representation and Testing Services for 2010, and

WHEREAS, the current limitations need to be increased due to the increased scope for an increase in the upset limits in the total amount of \$255,612.00 for these Services, and

WHEREAS, the firm of Shaw Coastal, Inc., has been asked to continue to perform these activities, 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 and authorize the execution by Terrebonne Parish President Michel Claudet of Amendment No. 6 for the engineering agreement with Shaw Coastal, Inc., to perform engineering services for project No. 99-BRG-10 (Bayouside Drive Bridge) which results in a total increase of Two Hundred Fifty Five Thousand Six Hundred Twelve Dollars and No Cents (\$255,612.00) to the original contract amount; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, Shaw Coastal, Inc.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

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OFFERED BY: Mr. P. Lambert.  
SECONDED BY: Ms. A. Williams.

## RESOLUTION NO. 10-015

A resolution authorizing the execution of Amendment No. 1 for the Engineering Agreement for Parish Project No. 09-BRG-27 (Coast Guard Permit for St. Anne Bridge).

WHEREAS, the Terrebonne Parish Consolidated Government entered into an engineering agreement dated June 08, 2009, with T. Baker Smith, Inc., to perform engineering services for Parish Project No. 09-BRG-27, Coast Guard Permit for St. Anne Bridge, and

WHEREAS, the engineering agreement between OWNER and ENGINEER has provisions for certain limitations for Additional Services, and

WHEREAS, the firm of T. Baker Smith, Inc., has been asked to provide additional Engineering Services, and

WHEREAS, Title work, property surveying and right-of-way map preparation is required and need to be added for an increase in the total amount of \$19,337.00 for these Services, and

WHEREAS, the firm of T. Baker Smith, Inc., has been asked to perform these activities, 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 and authorize the execution by Terrebonne Parish President Michel Claudet of Amendment No. 1 for the engineering agreement with T. Baker Smith, Inc., to perform engineering services for project No. 09-BRG-27 (Coast Guard Permit for St. Anne Bridge) which results in a total increase of Nineteen Thousand Three Hundred Thirty Seven Dollars and No Cents (\$19,337.00) 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, Inc.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

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

## RESOLUTION NO. 10-016

A resolution authorizing the execution of Balancing Change Order No. 3 for the Construction Agreement for Parish Project No. 08-DRA-26, Lower Montegut Pump Station (D-2) Steel Bulkhead/Discharge Pipe Improvements Project, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated April 23, 2009, JAG Construction Services, Inc., recordation number 1320928, for the Lower Montegut Pump Station (D-2) Steel Bulkhead /Discharge Pipe Improvements Project, Parish Project No. 08-DRA-26, Terrebonne Parish, Louisiana, and

WHEREAS, this change order is necessary to balance contract quantities with installed quantities and is for a reduction in contract value of \$1,716.10, and

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

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 Michel Claudet of Balancing Change Order No. 3 to the construction agreement with Jag Construction Services, Inc, to perform construction services for the Lower Montegut Pump Station (D-2) Steel Bulkhead /Discharge Pipe Improvements Project, Parish Project No. 08-DRA-26, for a decrease in the amount of One Thousand Seven Hundred Sixteen Dollars and Ten Cents (\$1,716.10), 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, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

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OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. C. Voisin.

#### RESOLUTION NO. 10-017

A resolution authorizing the execution of Change Order No. 2 to the Construction Agreement for Parish Project No. 99-BRG-10, Bayouside Drive Bridge Repair, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated February 19th, 2009, with Cecil D. Gossiott, Recordation Number 1316126, for the Bayouside Drive Bridge, Parish Project No. 99-BRG-10, Terrebonne Parish, Louisiana, and

WHEREAS, this change order is necessary for pricing and time adjustments related to the electrical and control system, and

WHEREAS, this change order is necessary in order to increase the contract price by \$1,251.53 and

WHEREAS, this change order is also necessary in order to add Three (3) Calendar Days to the contract to account for this change, and

WHEREAS, the Engineer for this project, Shaw Coastal Inc., recommend this change order, 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 and authorize the Parish President Michel Claudet, to execute this Change Order No. 2 which results in an increase of One Thousand Two Hundred Fifty One Dollars and Fifty Three Cents (\$1,251.53) and add Three (3) calendar days, for Parish Project No. 99-BRG-10; Bayouside Drive Bridge , Terrebonne Parish, Louisiana.

**THERE WAS RECORDED:**

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

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OFFERED BY: Mr. B. Hebert.

SECONDED BY: Mr. K. Voisin.

**RESOLUTION NO. 10-018**

A resolution authorizing the execution of Amendment No. 1 for the Engineering Agreement for Broadmoor Drainage Improvements Project, TPCG Project No. 09-DRA-26.

WHEREAS, the Terrebonne Parish Consolidated Government did enter into an Engineering Agreement with Buchart Horn, Inc. dated June 1, 2009 entitled Broadmoor Drainage Improvements Project, TPCG Project No. 09-DRA-26, and

WHEREAS, the engineering agreement between OWNER and ENGINEER authorized certain limitations for the Study & Report for the Broadmoor Drainage Improvements Project, and

WHEREAS, the TPCG received the Study & Report and is now desirous of including fees for design for the recommendations of the Study & Report, and

WHEREAS, the current limitations for Basic and Additional Services need to be increased due to proceeding with these design services and increases in the upset limits for these Services is now necessary, and

WHEREAS, the firm of Buchart Horn, Inc., has been asked to continue to perform these activities, 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 and authorize the execution by Terrebonne Parish President Michel Claudet of Amendment No. 1 for the engineering agreement with Buchart Horn, Inc., to perform engineering services for project No. 09-DRA-26, Broadmoor Drainage Improvements Project, which results in a increase in Basic Services of \$60,480.00 and increase in additional services of \$81,500.00 for a total increase of One Hundred Forty-One Thousand Nine Hundred Eighty Eight Dollars and No Cents (\$141,980.00) to the original contract amount; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, Buchart Horn, Inc.

**THERE WAS RECORDED:**

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

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

## RESOLUTION NO. 10-019

A resolution authorizing the execution of Change Order No. 3 to the Construction Agreement for Parish Project No. 99-BRG-10, Bayouside Drive Bridge Repair, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated February 19th, 2009, with Cecil D. Gossiott, Recordation Number 1316126, for the Bayouside Drive Bridge, Parish Project No. 99-BRG-10, Terrebonne Parish, Louisiana, and

WHEREAS, this change order is necessary to modify the linear feet of piles needed, and

WHEREAS, this change order is necessary in order to decrease the contract price by \$87,250.00, and

WHEREAS, the Engineer for this project, Shaw Coastal Inc., recommend this change order, 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 and authorize the Parish President Michel Claudet, to execute this Change Order No. 3 which results in a decrease of Eighty-Seven Thousand Two Hundred Fifty Dollars and No Cents (\$87,250.00), for Parish Project No. 99-BRG-10; Bayouside Drive Bridge, Terrebonne Parish, Louisiana.

## THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

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

## RESOLUTION NO. 10-020

A resolution providing for the acceptance of work performed by Phylway Contractors, Inc., in accordance with the Certificate of Substantial Completion for the Lower Ward 7 Interim Lift, Parish Project No. 09-LEV-18, Terrebonne Parish, Louisiana

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated July 16, 2009 with Phylway Contractors, Inc., for the Lower Ward 7 Interim Lift, Parish Project No. 09-LEV-18, Terrebonne Parish, Louisiana, and

WHEREAS, the work performed 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, Shaw Coastal, 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 performed, 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. 1327388 of the Records of Terrebonne Parish, Louisiana, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, Shaw Coastal Inc., and

BE IT FURTHER RESOLVED that a certified copy of the resolution be recorded in the office of the Clerk of Court of Terrebonne Parish to commence a 45-day clear lien period, and

BE IT FURTHER RESOLVED that the Administration is authorized to make payment of retainage upon the presentation of a Clear Lien Certificate.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-021

A Resolution awarding and authorizing the signing of the Construction Contract for the New Transit Office and Bus Maintenance Facility, and identified as Parish Project No. 08-BUS-02, Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government did receive construction bids on the New Transit Office and Bus Maintenance Facility, and identified as Parish Project No. 08-BUS-02, Terrebonne Parish, Louisiana, and

WHEREAS, the lowest and best bid was that submitted by The BellTech Group, Inc., with the total bid in the amount of \$1,590,300.00, and

WHEREAS, the Consultant Engineer for this project, the firm of Duplantis Design Group, PC has recommended that the award of the contract for construction of this project be made to the firm of The BellTech Group, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, awards the construction contract to The BellTech Group, Inc. in the overall amount of \$1,590,300.00, and

BE IT FURTHER RESOLVED that the President of Terrebonne Parish Consolidated Government, be and he is hereby authorized and empowered to sign a construction contract for and on behalf of the Terrebonne Parish Consolidated Government with The BellTech Group, Inc., upon receipt of the performance bond in the amount of the contract price, and

BE IT FURTHER RESOLVED that upon receipt of required certificates of insurance evidencing coverage as provided in the project specifications and upon execution and recordation of all contract documents, that the Architect is hereby authorized to issue the Notice to Proceed to the Contractor to commence construction of the project.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

Parish Manager Al Levron stated that the aforementioned facility is within the Bayou LaCarpe area near Neff Rentals; that the previous bids were rejected due to problems with the newly revised bid forms required by the State Legislature; and that the project was “re-let” for bids; and that at the time, the received project bids were within the project scope and budget.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-022

URGING CONGRESS TO CONTINUE TO PROVIDE FOR AN OFF-SYSTEM PROGRAM

WHEREAS, legislation to reauthorize the federal highway and transit programs has been put forward by the leadership of the House Transportation and Infrastructure Committee, and

WHEREAS, under the proposed legislation, the Federal Off-System Bridge Program would no longer exist due to the elimination of the Federal Bridge Programs, and

WHEREAS, since the creation of the Federal Off-System Bridge Program in 1978, 10 bridges have been replaced in Terrebonne Parish, Louisiana; and

WHEREAS, Terrebonne Parish, Louisiana, has 21 bridges eligible for replacement in the current Federal Off-System Bridge Program; and

WHEREAS, these bridges are used daily by school buses, fire trucks, emergency vehicles, mail carriers, and are vital to the agriculture, commercial fishermen, local industry, tourism and oil and gas industries; and

WHEREAS, a closed or weight-posted bridge causes preventable detours that can adversely impact the health and welfare of our citizens; and

WHEREAS, revenues from the Federal Off-System Bridge Program serves as most parish's primary source of funding for the design and construction of rural bridges; and

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that it does hereby urge the House Transportation and Infrastructure Committee to continue to reauthorize the Federal Highway and Transit Programs with continuance of funding for the Federal Off-System Bridge Program; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all members of the House Transportation and Infrastructure Committee so that they may know the position of this governing body; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Mary Landrieu, Senator David Vitter and U.S. Representative Charles Melancon with a letter requesting their support and assistance in ensuring the continuance of the Federal Off-System Bridge Program.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

Mr. B. Hebert moved, seconded by Ms. A. Williams and Mr. K. Voisin, "THAT, the Public Services Committee introduce an ordinance to authorize the acquisition of sites and/or servitudes required for the Westside Boulevard Extension Project, Phase 2 (West Main Street to Martin Luther King Boulevard) Project and call a public hearing on said matter on January 27, 2010 at 6:30 p.m."

The Chairman called for the vote on the motion offered by Mr. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Ms. A. Williams and Mr. J. Pizzolatto, "THAT, the Public Services Committee introduce an ordinance to declare a 'No Parking Zone' on both sides of Brittany Street between St. Malo and Cherbourg Streets and on the northern frontage of 200 Cherbourg Street for a distance of 80 feet where Cherbourg Street intersects with Brittany Street and call a public hearing on said matter on January 27, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 10-023

WHEREAS, Martin Luther King Boulevard is the site for some of the busiest and largest retail stores in Terrebonne Parish, and

WHEREAS, the construction of side streets that allow additional retail developments, restaurants and apartment complexes has significantly added to the volume of traffic on Martin Luther King Boulevard, and

WHEREAS, Corporate Drive not only has many retail, restaurants and business facilities along the roadway, but also intersects several roadways, including Martin Luther King Boulevard; and

WHEREAS, as this area continues to grow into a major multi-parish shopping center, traffic in this corridor continues to increase and create safety concerns; and

WHEREAS, it has been suggested on numerous occasions that a traffic light be installed on Martin Luther King Boulevard at its intersection with Corporate Drive to help protect motorists either entering or exiting the major boulevard; and

WHEREAS, Martin Luther King Boulevard is a State Government owned and administered roadway.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the

Louisiana Department of Transportation and Development be requested to install a traffic light on Martin Luther King Boulevard at its intersection with Corporate Drive, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all members of the Terrebonne Parish Legislative Delegation so that they may know the position of this governing body and support this request.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

Committee Member T. Cavalier explained that the proposed ordinance to introduce a moratorium on “the issuance of any governmental approval for development” includes the construction of subdivisions; infrastructure inclusive of streets, waterlines, etc.; and the issuance of any building permits that increases direct and indirect storm water flow into the CCC Ditch in the 1-1B Forced Drainage Project Area between Linda Ann Street and Bayou Gardens Boulevard until the substantial completion of the Parish Project 01-DRA-40 (Forced Drainage Project 1-1B Phase 3 CCC Ditch improvements at major crossings).

The Chairman recognized the following individuals who expressed their support of the proposed moratorium:

Mrs. Barbara Larpenter of Horseshoe Road noting other failed drainage projects.

Mr. Reggie Bourg requesting accountability once the 1-1B Project is constructed and completed.

Mr. Jason Baker questioning a moratorium on the Three Oaks Project and the Government Complex Project.

Committee Member T. Cavalier stated that it is her intent to include a moratorium on the development of the Three Oaks and the Government Complex developments.

Mr. Baker requested that consideration be given to extending the moratorium period due to the project construction period being 180-days.

Committee Member T. Cavalier explained her reasons for establishing a 120-day moratorium and the possibility of extending the moratorium.

Committee Member B. Hebert presented information with respect to the initial design of the 1-1B Drainage Project and a drainage report dated 2002.

Parish Manager Al Levron explained that the drainage report presented in 2002 commenced with a study, but was not implemented due to there being no funding source and added that several of the projects were designed to be constructed in incremental phases.

Committee Member B. Hebert requested that Administration submit a recommendation on cleaning the CCC Ditch as presented in the 2002 Hydrologic Study; that funding be determined for said recommendations in the 2002 Hydrologic Study; and that the proposed moratorium be extended to Lake Houmas.

Mr. Levron stated that Administration would submit a budget on the remaining project phases as presented in a previous study completed in 2002 Hydrologic Study.

Discussion ensued with respect the moratorium including the construction of single family residential slabs and roofs in the moratorium.

Planning & Zoning Director Patrick Gordon stated that he did not know the proposed number of new single family residential developments with slabs and roofs and noted that there are a number of approved subdivisions within the proposed drainage system that could receive building permits.

Committee Member T. Cavalier stated that it is not her intent to include pending single family residential developments on lots that have been previously purchased.

Upon additional questioning, Mr. Levron stated that Administration is awaiting a proposal from T. Baker Smith, Inc. with respect to cleaning Parish canals and a possible extension of the current contract.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, "THAT, the Public Services Committee introduce an ordinance to impose a moratorium on the issuance of any governmental approval for development that increases direct and indirect storm water flow into the CCC Ditch in the 1-1B Forced Drainage Project Area between Linda Ann Street and Bayou Gardens Boulevard inclusive of the Three Oaks Development until substantial completion of Parish Project 01-DRA-40 (Forced Drainage Project 1-1B Phase 3 CCC Ditch improvements at major crossings) or the passage of one hundred and twenty days (120) whichever shall first occur; request Administration to submit a recommendation with respect to cleaning the CCC Ditch as presented in the 2002 Hydrologic Study and call a public hearing on said matter on January 27, 2010 at 6:30 p.m." (\*\*MOTION AMENDED AFTER DISCUSSION)

Parish Attorney Courtney Alcock stated that the proposed ordinance defines the area as the CCC Ditch between Linda Ann Street and Bayou Gardens Boulevard.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, "THAT, the Public Services Committee introduce an ordinance to impose a moratorium on the issuance of any governmental approval for development that increase direct and indirect storm water flow into the CCC Ditch in the 1-1B Forced Drainage Project Area from the beginning of the CCC Ditch to Lake Houmas until substantial completion of the Parish Project 01-DRA-40 (Forced Drainage Project 1-1B Phase 3 CCC Ditch improvements at major crossings) or the passage of one hundred and twenty days (120) days whichever shall first occur; that Administration submit a recommendation with respect to cleaning the CCC Ditch as presented in the 2002 Hydrologic Study, and call a public hearing on said matter on January 27, 2010 at 6:30 p.m."

For clarity, Committee Member P. Lambert noted that the CCC Ditch was dug north of Southland International in a shallow area.

Council Clerk Paul Labat noted that the public hearing would be held on January 27, 2010.

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: J. Pizzolatto.

ABSENT: None.

The Chairman declared the motion adopted.

Committee Member T. Cavalier requested that Administration consider including on the Parish's turning lane list the intersection of Highway 316 and Highway 182, south bound on the north side, if additional turning lane funding becomes available after the completion of currently approved lanes. (NO ACTION TAKEN)

Mr. P. Lambert moved, seconded by Mr. K. Voisin, "THAT, the Public Services Committee direct Administration to investigate the possibility of placing a weight limit on lower Country Drive to prevent further deterioration of said roadway; that the recommendation from Administration exempt garbage and fire trucks and those persons residing in the area who operate 18-wheelers; and that the recommendation be submitted for consideration at the next committee meeting."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Recreation District No. 11 Chairman Amos Moseley stated that proposed renovations to the East and West Houma gymnasiums will be presented by the project architect Curtis Marcello and then presented information with respect to the renovations.

Mr. Marcello stated that contracts to re-roof the East and West Houma gymnasiums were signed on January 13, 2009; that construction documents were “let” for bids on May 15, 2009; that on July 8, 2009 bids were received; that on July 10, 2009 a Notice to Proceed was issued; that the contracts are 88% complete; that the East Houma gymnasium has been completed; and that siding and the facial systems on the West Houma gymnasium are being completed in addition to the top coat. He continued that contracts for interior renovations to the East and West Houma gymnasiums were signed on July 6, 2009; that work commenced in September 2009, but was put on hold until additional funding was obtained; that additional funding was secured in December 2009; that the contract documents should be finalized this Friday; that bids should be received by January 16, 2010 and the notice to proceed should be submitted the following week; that the 1<sup>st</sup> Phase for the East Houma gymnasium should be completed by June 1, 2010; and that the 2<sup>nd</sup> Phase the West Houma gymnasium should be completed by July 1, 2010.

In response to questioning, Chief Finance Officer Jamie Elfert stated that Recreation District No. 11 has been working with FEMA representatives and that most of the renovations will be eligible for reimbursement.

Mr. Marcello interjected that the projects have been “let” for bid to repair the structures to their pre-existing conditions and that alternate bids were received to do additional work in order to comply with Parish codes.

Committee Member C. Voisin exited the proceedings at 8:16 p.m.

Upon questioning, Mr. Marcello stated that meetings with FEMA representatives are held as necessary although the Parish meets with them on a regular basis.

Mrs. Elfert stated that no reimbursements have been received to date; however, FEMA representatives are still working on the paperwork; that Administration meets with FEMA once per month, but communicates via telephone daily; and that the individual recreation districts receive reimbursements directly.

Committee Member A. Tillman requested that Administration contact the various recreation districts to determine how much reimbursement has been received from FEMA. (NO ACTION TAKEN)

Mr. A. Tillman moved, seconded by Mr. K. Voisin and Mr. B. Hebert, “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 Mr. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: C. Voisin.

The Chairman declared the motion adopted and the meeting was adjourned at 8:18 p.m.

Joey Cehan, Chairman  
Suzette Thomas, Minute Clerk

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 1/11/10."

The Chairwoman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Community Development & Planning Committee meeting held on 1/11/10, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 1/27/10, rendered the following:

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

**JANUARY 11, 2010**

The Chairman, A. Tillman, called the Community Development & Planning Committee meeting to order at 8:26 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Williams and the Pledge of Allegiance led by J. Cehan. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. C. Voisin.

**RESOLUTION NO. 10-024**

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF STRUCTURES AND LANDS UNDER THE TERMS AND CONDITIONS OF THE TERREBONNE PARISH HURRICANE KATRINA HAZARD MITIGATION GRANT PROGRAM (HMGP), PROJECT NO. #1607-109-0002, PROJECT #0002A; TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECT ACQUISITION; AND CALLING A PUBLIC HEARING ON SAID MATTER FOR WEDNESDAY, JANUARY 27, 2010 AT 6:30 P.M.

WHEREAS, the Terrebonne Parish Consolidated Government, in the implementation of its Hurricane Katrina Hazard Mitigation Grant Program, Project No. #1607-109-0002, #0002A, has executed all necessary documents with the following property owner to acquire all structures and lands located at the address and for the amount stipulated below:

Owner(s): George and Angela Beaudry

Address: 1427 Highway 55

Appraised Value: \$175,000.00

Total Project Costs: \$192,675.00

Offer Amount: \$175,000.00

Legal Description: On the left descending bank Bayou Terrebonne. Tract measuring 134' front on east side public road by depth survey bounded above by estate Mrs. Desire Boudreaux, formerly now James Mark LeBlanc or assigns. Bounded below by Edna Bourg, formerly now Clarence Trahan. In Section 1 T19S R19E. Also batture lot measuring 92' lying between the highway and Bayou Terrebonne.

WHEREAS, the above listed property owner has agreed to the offer to purchase for the amounts stipulated.

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 is hereby given to adopt an ordinance to authorize the acquisition of structures and lands under the terms and conditions of the Terrebonne Parish Hurricane Katrina Hazard Mitigation Grant Program (HMGP), Project No. #1607-109-0002, Project #0002A; to authorize the Parish President to execute any and all documents necessary to effect acquisition; and calling a public hearing on said matter for Wednesday, January 27, 2010 at 6:30 p.m.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

Council Clerk Paul Labat noted that Administration withdrew the original request to approve the acquisition of 105 Beth Ann Street and recommended that it be reconsidered in two weeks.

The Chairman recognized Mr. Reggie Bourg of Country Drive who inquired about public participation regarding the adoption of policies required by the Louisiana Community Development Block Grant Disaster Recovery Unit.

Housing and Human Services Director Darrel Waire explained that public participation policy was completed in accordance with State direction and that the document was created by a State consultant in compliance with the guidelines of Section 3.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. J. Cehan and Mr. K. Voisin.

#### RESOLUTION NO. 10-025

WHEREAS, Terrebonne Parish Consolidated Government has been afforded the opportunity to participate in the State of Louisiana Community Development Block Grant (CDBG)-Disaster Recovery Program administered by the Division of Administration; and,

WHEREAS, it is necessary under the program regulations to authorize certain actions and individuals to perform certain designated functions by the State.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government, the governing authority and fiscal agent, does hereby document technical assignments for participation in the Community Development Block Grant (CDBG)-Disaster Recovery Assistance Program,

BE IT FURTHER RESOLVED, that the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government as legal recipient of the CDBG Disaster funds does hereby authorize the following actions:

#### SECTION I CITIZEN PARTICIPATION

WHEREAS, the State requires Grantees to establish procedures to ensure adequate citizen participation and to deal with citizen inquiries and complaints;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government, that the attached plan entitled "Citizen Participation Plan and Complaint Procedure" is hereby adopted for the CDBG Disaster Recovery Program.

## SECTION II PROCUREMENT

WHEREAS, the State requires the establishment of uniform procedures in compliance with 24CFR 85.36;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government, that the attached policy entitled "Purchasing Handbook for LCDBG Funded Disaster Recovery Projects" is hereby adopted for the CDBG Disaster Recovery Program.

## SECTION III RESIDENTIAL ANTI-DISPLACEMENT

WHEREAS, the State requires that all grant recipients adopt a Residential Anti-Displacement and Relocation Assistance Plan,

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government, that the attached plan entitled "Residential Anti-Displacement and Relocation Assistance Plan" is hereby adopted for the CDBG Disaster Recovery Program and appoints the Capital Projects Administrator as the Residential Anti-Displacement Officer.

BE IT FURTHER RESOLVED, that the Chief Elected Official is hereby authorized to execute the attached Residential Anti-Displacement and Relocation Assistance Certification.

## SECTION IV 504 HANDICAP

WHEREAS, the State requires grant recipients to adopt a policy to comply with Section 504 of the Rehabilitation Act of 1973 as amended and for communicating information to persons with sensory impairments; and

WHEREAS, the State requires grant recipients to designate a responsible person to coordinate the grant recipients efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government that the attached "Handicap Policy and Grievance Procedure" and "Policy Statement for Communicating Information to Persons with Sensory Impairments" is hereby adopted for the CDBG Disaster Recovery Program and appoints its Equal Opportunity Officer as Section 504 Coordinator.

BE IT FURTHER RESOLVED, that the Chief Elected Official is hereby authorized to execute the attached Section 504 Certification.

## SECTION V EQUAL OPPORTUNITY

WHEREAS, equal opportunity regulations of the CDBG program require the appointment by the recipient of an Equal Opportunity Officer (EEO officer) to have the responsibility for maintaining all pertinent EEO files, submitting on a timely basis all reports, answer all related correspondence and monitor all EEO areas;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government that its Equal Opportunity Officer is hereby appointed as EEO officer for the life of the CDBG Disaster Recovery program and as such is charged to faithfully execute all duties and responsibilities herein described.

#### SECTION VI LABOR COMPLIANCE

WHEREAS, labor compliance regulations of the CDBG program require the appointment by the recipient of a Labor Compliance Officer, (LCO) to have the responsibility for maintaining all pertinent labor compliance files, submitting on a timely basis all required reports, answer all related correspondence and monitor all labor compliance areas;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government that the firm of Hunt, Guillot and Associates is hereby appointed Labor Compliance Officer for the life of the CDBG Disaster Recovery Program and as such is charged to faithfully execute all duties and responsibilities herein described.

#### SECTION VII FAIR HOUSING

WHEREAS, the State requires Grantees to take actions to affirmatively further fair housing in compliance with Title VIII of the Civil Rights Act of 1968, as amended and Executive Order 11063, as amended; and,

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government that the Director of Housing and Human Services is appointed Fair Housing Coordinator for the CDBG Disaster Recovery Program.

#### SECTION VIII SECTION 3 PLAN

WHEREAS, the STATE requires Grantees to the greatest extent feasible to provide opportunities for training and employment to lower income residents of the project area and contracts for work in connection with the project area be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the project in compliance with Section 3 of the Housing and Urban Development Act of 1968;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government that the attached Section 3 Plan is hereby adopted for the CDBG Disaster Recovery Program.

#### SECTION IX FINANCIAL MANAGEMENT

WHEREAS, it is necessary under the Financial Management regulations of the CDBG program to authorize certain individuals to sign Request for Payment for the purpose of obtaining funds under this program and;

WHEREAS, it is necessary to authorize one individual to certify to the correctness of each signature and;

WHEREAS, it is further necessary under the Financial Management regulations of the CDBG program to designate an official depository for these funds and;

WHEREAS, it is necessary certain individuals to sign checks for these funds;

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Community, Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government as legal recipient of the CDBG funds, in regular session convened, that Al Levron, Parish Manager and Jamie Elfert, Chief Financial Officer are hereby authorized to sign "Authorized Signature Card for Request for Payment", and that Michel H. Claudet, Parish President shall be the Certifying Officer attesting to the correctness of each signature,

BE IT FURTHER RESOLVED, that J.P. Morgan Chase Bank is hereby designated as the official depository for direct deposit of grant funds for the CDBG project.

BE IT FURTHER RESOLVED, that Michel Claudet, Parish President, Al Levron, Parish Manager, Jamie J. Elfert, Chief Financial Officer, Donald Picou, Comptroller, Pat Gordon, Planning Director be designated to sign checks for the CDBG project. Each check will require signatures of two of the authorized persons.

THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 11<sup>th</sup> day of January, 2010.

\* \* \* \* \*

In response to questioning, Planning & Zoning Director Patrick Gordon stated that Beck Disaster Recovery, Inc. was selected because the firm previously handled demolition and monitoring services for the Parish on an emergency basis; that additional tasks were performed by Beck Disaster Recovery, Inc.; that should the approval be delayed, the request for proposal process would need to be completed again; and that FEMA has informed Administration that the recently condemned structures must be demolished by March 30, 2010.

Assistant Planning Director Geoffrey Large explained that the demolition program mandates that certain tasks be formed and the proper certification of the contractors must be identified in order to receive reimbursement. He added that failure to comply with all terms and conditions of the demolition program would result in reimbursement being denied.

The Chairman recognized Mr. Bryan Fike of Beck Disaster Recovery, Inc., who stated that the costs associated with conducting business are factored in the personnel salary costs; that personnel certified in asbestos and utility disconnections are needed; that specific detailed documentation is required for monitoring purposes; and that reconciliation is also required.

Committee Member A. Williams questioned why the project was not solicited for bids or consideration given to the firm CDM due to them currently being contracted to provide services.

Discussion transpired with respect to the cost breakdown for each structure demolished the possibility of in-house services being used to demolish the structures; and the amount of reimbursable costs.

Mr. C. Voisin moved, seconded by Ms. A. Williams and Mr. K. Voisin, "THAT, the Community Development & Planning Committee retain the matter relative to authorizing an amended service contract with Beck Disaster Recovery, Inc. to include mandated demolition program management and contractor monitoring services in committee for two weeks."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

RESOLUTION: Introducing an ordinance to authorize the dedication and acceptance of the maintenance and operation of the streets, drainage servitudes, gas, sewer, rights-of-way and energize the streets lights in Sugarwood Subdivision, Addendum No. 5; to incorporate the extension of "Ravenside Drive" and "Lansdown Drive" into the Enhanced 911 Emergency Response System; and calling a public hearing on said matter on January 27, 2010 at 6:30 p.m.

Mr. J. Pizzolatto moved, seconded by Mr. K. Voisin.

(\*\*MOTION OFFERED AND ADOPTED AFTER DISCUSSION)

Committee Member K. Voisin questioned certification of road panels and street lights in new developments.

Planning & Zoning Director Patrick Gordon explained that construction of the subdivision was previously halted due and engineering requirements not being met and that the Parish Public Works Department inspects all new developments to determine if the development meet Parish regulations.

Committee Member K. Voisin expressed his dissatisfaction with the process of having road panels and street lights repaired in new developments.

Mr. K. Voisin moved, seconded by Ms. T. Cavalier, "THAT, the Community Development & Planning Committee retain the matter relative to the acceptance of Sugarwood Subdivision, Addendum No. 5 in committee for two weeks."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized the following individuals who supported the revocation of stub out streets in Southern Estates Subdivision, The Parks:

Ms. Jamie Medice of Sugarland Boulevard noting safety concern with respect to additional traffic.

Mr. David Bergeron of Sugar Bend who inquired about the maintenance of the stub outs once the street right-of-way is revoked.

Planning & Zoning Director Patrick Gordon explained that revocation of the stub out streets would be subject to the dedication clause for said roadways; and that fee title would revert back to the adjacent property owner or developer/subdivision civic organization who would then be required to maintain the stub out.

Mr. Bergeron then inquired about the maintenance of potholes in the event the stub out deteriorates.

Mr. Gordon stated that the homeowner would contact the developer for repair.

Houma-Terrebonne Regional Planning Commission Chairman Daniel Babin noted that the regulation of stub out streets is a function of the Planning Commission as outlined by rules and regulations adopted by the Parish Council; that consideration of future growth should be considered; that the proposed moratorium on development effected by the CCC Ditch may have legal repercussions; and that the revocation of stub out streets in Southern Estates Subdivision,

The Parks may pose new problems and additional requests in other developments to revoke stub out streets.

The Chairman recognized the following individuals who supported the proposed revocation of stub out streets noting safety and drainage concerns:

Ms. Joy Plaisance of Sugar Bend Street  
Ms. Tessie Cantrelle of Sugar Plum Street  
Mr. Jamie Roy of Sugar Plum  
Ms. Barbara Carpenter of Horseshoe Road  
Ms. Annette Lapeyrouse of Sugar Plum  
Ms. Salena Richard of Sugar Plum presented a power point presentation  
Mr. Matt Whitney of Sugar Plum presented a presentation

Ms. A. Williams moved, seconded by Mr. K. Voisin, "THAT, the Community Development & Planning Committee grant Mr. Matt Whitney one minute to conclude his comments."

The Chairman called for the vote on the motion offered by Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. Whitney presented the remaining slides in his presentation.

Committee Member T. Cavalier expressed her concern with respect to the subdivision's design and safety conditions (no sidewalks or shoulders); noted that tying the subdivision into an adjacent development does not increase safety conditions; stated that there is the potential to increase traffic in Southern Estates Subdivision if the stub out streets are connected; and that there is adequate passage for emergency vehicles.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, "THAT, the Community Development & Planning Committee introduce an ordinance to revoke the dedication of public passage on the surface of the stub out portion of Sugar Creek Street in Southern Estates Subdivision, The Parks inclusive of the intersection from Sugarland (left and right side) to its terminus subject to a reservation of the utility servitude and call a public hearing on said matter on January 27, 2010 at 6:30 p.m." (\*\*MOTION ADOPTED AFTER DISCUSSION)

Committee Member A. Williams noted that the roadway is narrow and that opening the stub outs would prevent additional safety concerns.

In response to questioning, Mr. Gordon stated that the Planning & Department would recommend following the regulations that are in place; that the Planning Commission policy has changed to require that the stub out streets be paved; that the Planning Commission's policy is to only allow one lot at the end of a stub out street although interconnectivity is promoted; that variances have been granted by the Planning Commission to not require stub outs; and that previous litigation has been filed regarding blanket variances; and that should the proposed dedication be approved, the developer of Three Oaks would have to apply for a variance during the engineering phase. He further noted that there may be potential litigation if the stub out streets are revoked.

Committee Member C. Voisin requested that Administration be prepared to make a recommendation with respect to the de-dedication of stub out streets and request that representatives of the Houma-Terrebonne Regional Planning Commission be present to answer questions during the public hearing.

Upon additional questioning, Mr. Gordon stated that a mobile home could be placed at the end of the stub out street.

\*\*The Chairman called for the vote on the motion offered by Ms. T. Cavalier  
UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, "THAT, the Community Development & Planning Committee introduce an ordinance to revoke the dedication of public passage on the stub out portion of Twelve Oaks Street in Southern Estates Subdivision, The Parks subject to a reservation of the utility servitude and call a public hearing on said matter on January 27, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, "THAT, the Community Development & Planning Committee revoke the dedication of public passage on the surface of the stub out portion of Sugar Bend Street in Southern Estates Subdivision, The Parks from its intersection with Sugarland Boulevard (left and right side) to its terminus subject to a reservation of the utility servitude and call a public hearing on said matter on January 27, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. T. Cavalier moved seconded by Ms. A. Williams, "THAT, the Community Development & Planning Committee revoke the dedication of public passage on the surface of the stub out portion of Bonnie Blue Street in Southern Estates Subdivision, The Parks subject to a reservation of the utility servitude and call a public hearing on said matter on January 27, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. J. Pizzolatto, "THAT, the Community Development & Planning Committee introduce an ordinance to enact a "No Parking on the right-of-way" from the property line located between 1813 Acadian Drive and 14 Mary Hughes Circle traveling south to the property line between 14 1nd 12 Mary Hughes Circle and call a public hearing on said matter on January 27, 2010 at 6:30 p.m." (\*\*MOTION ADOPTED AFTER BRIEF COMMENTS)

Council Clerk Paul Labat noted that the ordinance indicates "paint the curb" and no sign installation at the aforementioned location.

\*\*The Chairman called for the vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. B. Hebert moved, seconded by Mr. J. Cehan, "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 Mr. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 9:37 p.m.

Alvin Tillman, Chairman

Suzette Thomas Minute Clerk

Committee Chairman A. Tillman noted a correction to the demolition date from March 3, to March 30, 2010.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 1/11/10."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council approve the following street light list:

INSTALL SEVEN (7) 70-WATT HIGH PRESSURE SODIUM LIGHTS ON EXISTING POLES ALONG EMERSON DR. (OFF CORPORATE DR.) GOING TO APARTMENT COMPLEX; SLECA; RLD#3; ARLANDA WILLIAMS."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. K. Voisin, "THAT, the Council keep nominations open for the vacancy on the Terrebonne Parish Communications District Board."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. K. Voisin, "THAT, the Council keep nominations open for the term of Mr. Larry Babin, who does not wish to be re-appointed, on the Bayou Blue Fire Protection District Board."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council keep nominations open for thirty days for the two vacancies for the positions of alternate members on the Board of Adjustments."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council keep nominations open for the two vacancies on the Cemetery Appeals Board."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. K. Voisin, "THAT, the Council accept the nominations of Mr. David Pitre, Jr. and Mr. William Morris from the Nicholls State University President for the Houma Municipal Fire and Police Civil Service board, that nominations be closed and that a voice vote be taken to determine who will fill the vacancy."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, and J. Cehan

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

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

WILLIAM MORRIS    DAVID PITRE

A. Williams

B. Hebert

J. Pizzolatto

K. Voisin

C. Voisin

J. Cehan

P. Lambert

A. Tillman

T. Cavalier

The Chairwoman stated as per the aforementioned results, Mr. William Morris is appointed to the vacancy on the Houma Municipal Fire and Police Civil Service Board, nominated by the President of Nicholls State University.

Mr. J. Pizzolatto moved, seconded by Ms. T. Cavalier, "THAT, the Council hold nominations for the four positions on the Coteau Fire Protection District Board."

The Chairwoman called for a vote on the motion offered by Mr. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, and J. Cehan

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. C. Voisin, "THAT, the Council re-appoint Mr. Gerald Arceneaux, Mr. Kurt Charpentier, and Mr. Jan Rogers to another term on the Fire Protection District No. 5 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, and J. Cehan

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. C. Voisin, "THAT, the Council re-appoint Mr. A. J. Cavalier to another term on the Fire Protection District No. 6 Board and appoint Mr. Gerald Pitre to fill the expired term of Mr. Russell Hebert, who does not wish to be re-appointed."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, and J. Cehan

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. J. Cehan, "THAT, the Council re-appoint Mr. Carroll LeBouef, Mr. Cecil Lapeyrouse, and Mr. Reiley LeBouef to another term on the Fire Protection District No. 7 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, and J. Cehan

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. J. Cehan and Mr. C. Voisin, "THAT, the Council re-appoint Mr. Riley Gros, Mr. Lynn Giroir, and Mr. Mickey Adams to another term on the Fire Protection District No. 9 Board."

The Chairwoman called for a vote on the motion offered by Mr. K. Voisin.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, and J. Cehan

NAYS: None

## ABSENT: None

The Chairwoman declared the motion adopted.

Vice-Chairman C. Voisin stated that he has been brought to his attention that a number of complaints were mentioned about the Parish's new health insurance changes and problems the employees are encountering.

Parish Manager A. Levron stated that Administration has been informed of problems Parish Employees are experiencing with health insurance changes and representatives of United Health Care and the Risk Management Department are working on them.

Councilman B. Hebert requested the Council Clerk to place the matter of complaints from residents on Natalie and Douglas Drive about the odor from the sewer plant on St. Louis Canal Road on the appropriate committee and the Sewer Department and residents be invited to the meeting.

Councilman J. Cehan thanked the residents that attended the Town Hall Meeting in Chauvin last night. He explained that earlier this week there was a misunderstanding with a local radio station taking calls about issues at some of the local schools regarding heat. He stated that the Parish Council does not have any jurisdiction over the Terrebonne Parish School Board buildings.

Councilman A. Tillman requested Administration to look into the coyote problem in the Mechanicville area off of East Street in the large parcel of land. He requested that the land owner be notified of the problem.

Council Clerk P. Labat announced a meeting next Tuesday at Nicholls State, Ayo Hall, 5:30 p.m. on redistricting and anyone interested can attend. He stated that Redistricting will take place in 2011 in Terrebonne Parish.

Parish President Claudet announced the following remaining Town Hall Meetings at 6:00 p.m.:

- January 14, 2010 – Dulac, Grand Caillou Recreation Center
- January 20, 2010 – Parish Council Meeting Room
- January 21, 2010 – Gibson, Mount Pilgrim Baptist Church Fellowship Hall
- February 2, 2010 – Dularge Recreation Center

No action was necessary on agenda item 8A – Information List.

There were no matters to address under agenda item 8B - Parish President.

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

- A) GSE Associates, Inc.
- B) Duplantis Design Group, PC
- C) T. Baker Smith, Inc.
- D) Milford and Associates, Inc."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, there being no further business to come before the Council, the meeting be adjourned."

The Chairwoman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted and the meeting adjourned at 7:50 p.m.

VENITA H. CHAUVIN, MINUTE CLERK

ATTEST:

/S/ARLANDA J. WILLIAMS

ARLANDA J. WILLIAMS, CHAIRWOMAN  
TERREBONNE PARISH COUNCIL

/S/PAUL A. LABAT

PAUL A. LABAT, COUNCIL CLERK  
TERREBONNE PARISH COUNCIL