

PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN REGULAR SESSION
DECEMBER 16, 2009

The Chairwoman, Ms. A. Williams, called the meeting to order at 6:04 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, led by Councilman K. Voisin, Minute Clerk V. Chauvin led the Pledge of Allegiance.

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

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council approve the minutes of the Regular Council Session held on 11/18/09".

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council approve the Parish Bill Lists dated 12/7/09 and 12/14/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED: Unanimously.

RESOLUTION NO. 09-645

WHEREAS, Mr. Perry Vice began his employment with the Parish in September 1995 in the Public Works Department, and

WHEREAS, Perry has worked with various heavy equipment including the operation of dump trucks, dozers and most recently an excavator, and

WHEREAS, during heavy rain events, tropical storms and hurricanes, Perry could be counted on to work any task needed, and

WHEREAS, a retirement in December will allow Perry to spend more time at his fishing camp near Cocodrie with his son Scott and many of his close friends.

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. Perry Vice be commended for his fourteen years of service to this government.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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The Chairwoman recognized Lt. Col. (Ret.) G. Bush, Public Works Director, who accepted the commendation on behalf of Mr. Perry Vice and thanked the Parish President and Council.

OFFERED BY: Mr. B. Hebert.

SECONDED: Unanimously.

RESOLUTION NO. 09-646

WHEREAS, Mrs. Mary Ann Klingman began her employment with the Parish July 13, 1998 as an Accounts Payable Clerk in the Accounting Division of Finance, and

WHEREAS, Mary Ann has set an example for her co-workers with outstanding qualities of dependability, integrity and a genuine “kindness”, and

WHEREAS, a retirement on December 28, 2009, will allow Mary Ann and her husband Lloyd to spend time with their children and grandchildren, travel, fish and have extra time for her love of quilting.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government that Mrs. Mary Ann Klingman be commended for her 11½ years of service to this government.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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The Chairwoman recognized Ms. Mary Ann Klingman, who thanked the Parish President and Council for the commendation and stated she enjoyed her years of service with Terrebonne Parish Government.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED: Unanimously.

RESOLUTION NO. 09-647

WHEREAS, the members of Company C, 2nd Battalion 156 Infantry (M) are again being deployed to the Middle East to ensure peace and to retain the freedoms that we as Americans enjoy, and

WHEREAS, many of these brave individuals were sent to Iraq in 2004, and were away from their families and friends for an entire year, and

WHEREAS, their willingness to put the best interests of our nation ahead of their own and sacrifice precious time with their families and loved ones is a testament to the unselfish principles instilled in each of these fine men, and

WHEREAS, the officials and employees of the Terrebonne Parish Consolidated Government believe that these men are the epitome of dignity and bravery, which are inherent traits of good protectors, and

WHEREAS, it is the sincere hope and prayer of everyone in Terrebonne Parish that all the members of Company C will soon return to the Good Earth to resume their personal lives, which were twice interrupted for the welfare of the people of America.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of Parish President Michel H. Claudet and the entire Terrebonne Parish Consolidated Government, that the members of Company C, 2nd Battalion 156 Infantry (M) be hereby wished Godspeed, and know that the prayers and thoughts of the entire Houma-Terrebonne community go with them on their mission for freedom.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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The Chairwoman recognized Lt. Acosta, who thanked the Council and Parish President for the commendation on behalf of Company C, Black Sheep.

Several Council Members stressed their sincere appreciation for the great sacrifice that these soldiers give to protect the United States of America and its citizens.

The Chairwoman recognized Mrs. Sybil Guidry, Terrebonne Parish Tree Board Chairwoman, who presented the Woodmen of the World Lodge 308 Facility with the Tremendous Citizen Award for December 2009.

OFFERED BY: Mr. K. Voisin.

SECONDED: Unanimously.

RESOLUTION NO. 09-648

WHEREAS, the Terrebonne Parish Tree Board has historically recognized individuals and businesses which have promoted the planting and preservation of trees and have generally done much to promote green space in an ever expanding concrete jungle, and

WHEREAS, for the last quarter of 2009, the Tree Board has identified Woodmen of the World, Lodge 308 as an outstanding local entity that has done much to promote the preservation of trees on a private lot, and

WHEREAS, the property on which the WOW Lodge is located, 309 South Hollywood Road, has been the home of several live oak trees estimated to be in excess of one hundred fifty years old, and

WHEREAS, the members of the WOW Lodge have assumed custody of the trees and have done everything possible to assure that these beautiful trees remain in tip top condition so that they may grace the property for the next 150 years, and

WHEREAS, the beauty of these historical trees can be enjoyed by the visitors to the WOW Lodge facility and by motorists who drive on South Hollywood Road on a daily basis, and

WHEREAS, the Terrebonne Tree Board wishes to commend the members of the Woodmen of the World Lodge 308 for being good stewards of these trees and for the care and preservation of the magnificent live oaks on their property.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby join the Terrebonne Parish Tree Board in giving recognition to Woodmen of the World, Lodge 308 as Tremendous Citizens of the Parish of Terrebonne.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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The Chairwoman recognized Gerald and Carroll Collins, Woodmen of the World Lodge 308 Facility, who thanked the Terrebonne Parish Tree Board, the Council and the Parish President for the commendation.

OFFERED BY: Mr. C. Voisin.

SECONDED: Unanimously.

RESOLUTION NO. 09-649

WHEREAS, the New Orleans Saints NFL Football Team has been a source of inspiration, a spirited and constant topic of conversation, and a social and entertainment venue for literally millions of Louisiana residents for decades, and

WHEREAS, the historic, current status of being one of the few teams in NFL history to achieve a tremendous record of 12-0 has propelled the Saints and their countless, loyal fans throughout the country, to have their spirits lifted during a time of an otherwise dismal national economy, and

WHEREAS, many people have known the potential of the Saints franchise, have predicted a winning season for the team and have spearheaded efforts to keep fans loyal to the New Orleans team, and

WHEREAS, Mr. Bobby Hebert, former Saints quarterback and widely recognized President of the “Who Dat” Nation, has been one of the energetic leaders to keep Saints fever at the highest level possible, and

WHEREAS, the Parish Council and Parish President are proud of the enthusiastic contributions of all those involved in the HTV production of “Saints on the Bayou” for their unequivocal backing of our football team.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of Parish President Michel H. Claudet and the entire Terrebonne Parish Consolidated Government, that Mr. Bobby Hebert, Mr. Martin Folse, Mr. Deke Bellavia and Mr. Mike Detillier be hereby congratulated and commended for being the driving force behind the “Who Dat” Nation, for producing “Saints on the Bayou”, and for keeping Saints fever in everyone’s mind, and

BE IT FURTHER RESOLVED, that every Friday prior to the Super Bowl be known as “Black and Gold Day in Houma-Terrebonne” and that all citizens be urged to show their support and love for the New Orleans Saints.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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Councilman C. Voisin presented a football signed by former Saints Quarterback, Mr. Martin Folsie with HTV, Mr. Deke Bellavia, and Mr. Mike Detillier, to be displayed in the Council office.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 09-650

A resolution urging prompt action regarding the Morganza to the Gulf Hurricane Protection Plan

WHEREAS, since 1992, the nearly 200,000 residents of Terrebonne and Lafourche Parishes have taken hope that the Morganza to the Gulf Hurricane Protection Plan would safeguard their homes, their property and their lives, and

WHEREAS, following the completion of the reconnaissance phase (1992-1995) and the Feasibility Study Phase (1995-2002) by the United States Army Corps of Engineers, the voters of Terrebonne Parish felt that the federal government was indeed committed to helping the people of South Louisiana and approved a tax which has yielded about \$6 million per year since 2002 for the sole purpose of helping to defray costs associated with the hurricane protection plan, and

WHEREAS, hopes of our local citizens continued to rise in 2007 when Congress overrode the President's veto of the Water Resources Development Act (WRDA), which set the estimated project cost at \$887 Million, and

WHEREAS, after fifteen years of study, red tape and exasperated expectations, the USACE now feels that the entire project must go back to the study phase with an end result of a possible total project cost of an \$8 Billion or an unimaginable increase of 1,400%, and

WHEREAS, should this project go back to the study phase and should the length of time for the process be the same as before, much of Louisiana's coast line will simply have been lost to the Gulf of Mexico, losing hundreds of millions of dollars generated from oil production and related businesses and from seafood harvesting efforts, losing untold millions of dollars in tax revenues headed towards the coffers of the federal government, and

WHEREAS, most individuals have claimed the wisdom that the construction of a permanent hurricane protection plan by the federal government, at a reasonable amount, would be far more cost effective than forcing FEMA to come to the aid of people who were devastated by the hurricanes which are coming on an all to frequent basis, and

WHEREAS, it is past time that the President and the United States Congress act to protect the people of this area and not allow a federal agency, which is composed of "employees" who do not appear to actually answer to anyone, to dictate which property is protected and which lives are saved.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby respectfully request the Honorable Barrack Obama, President of the United States, and all members of Terrebonne and Lafourche Parish's Congressional Delegation to stand together on behalf of the welfare and safety of the people of Terrebonne and Lafourche Parishes and to act as follow:

1. DIRECT the United States Army Corps of Engineers to begin construction of the Morganza to the Gulf Hurricane Protection Project, specifically the version studied by the USACE, selected within the Chief's Report and authorized within the 2007 Water Resourced Development Act.
2. DIRECT the United States Army Corps of Engineers to grant work-in-kind credit to the State of Louisiana and the Terrebonne Levee and Conservation District for the past flood control work done along the Morganza alignment including, but not limited to, the initial first lift of levees and floodgates, barge structures, or environmental structures.
3. DIRECT the United States Army Corps of Engineers to restart the design process for the Houma Navigation Canal Lock, consistent with the 2007 version of the project, which is already funded, has been started, but was suspended by the USACE when *they* decided to do the project re-evaluation.
4. CONCUR with the position of the State of Louisiana, the Terrebonne Parish Consolidated Government and the Lafourche Parish Government in requesting that the statement be included in the Morganza to the Gulf Project language for the 2010 WRDA Bill as follows:
 "The state requests that the committee include a provision directing the USACE to construct the Morganza to the Gulf Project as previously authorized by Congress and recommended for construction by the USACE. Concurrent with construction of the project, the USACE and non-federal sponsors should be directed to develop a plan to modify the original project to provide the updated 100-year level of protection."

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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Council Clerk P. Labat announced that Mr. Jason Aikers, with Foley-Judell was present to answer any questions regarding the proposed bond resolution up for consideration.

The following resolution was offered by Mr. Kevin Voisin and seconded by Mr. Billy Hebert:

RESOLUTION NO. 09-651

A resolution approving the issuance, sale and delivery of not exceeding \$2,200,000 of Water Revenue Bonds, of Consolidated Waterworks District No. 1 of the Parish of Terrebonne, Louisiana.

WHEREAS, Consolidated Waterworks District No. 1 of the Parish of Terrebonne, Louisiana (the "District") proposes to issue not exceeding \$2,200,000 of Water Revenue Bonds (the "Bonds") for the purpose of constructing and acquiring improvements and extensions to the District's combined waterworks plant and system as a single revenue producing public utility, including the payment of the cost of all necessary land, equipment and furnishings, and all engineering, legal and other incidental costs and fees incurred in connection with said improvements and extensions to the System of the District; and

WHEREAS, the District has requested that this Parish Council approve the issuance, sale and delivery of said Bonds of the District; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the issuance of said Bonds of the District;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of Terrebonne, State of Louisiana (the "Parish Council"), acting as the governing authority of the Parish of Terrebonne, State of Louisiana, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Consolidated Waterworks District No. 1 of the Parish of Terrebonne, Louisiana, this Parish Council hereby approves the issuance, sale and delivery of not exceeding \$2,200,000 of Water Revenue Bonds, of said District, said Bonds to mature over a period not exceeding twenty-two (22) years, be secured by and payable from the income and revenues derived or to be derived by the District from the operation of its combined waterworks plant and system as a single revenue producing public utility (the "System"), subject only to the payment of the reasonable and necessary expenses of administering, operating and maintaining the System, and to be issued under the authority of Part XIII, Chapter 4 and Chapter 13, Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.

SECTION 2. The Parish of Terrebonne and this Parish Council shall not be liable in any manner for the payment of said Bonds, and no funds of the Parish or the Parish Council shall be pledged to the payment thereof.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Kevin Voisin, Clayton J. Voisin, Joey Cehan, Pete Lambert, Alvin Tillman, Arlanda J. Williams, Billy Hebert, Teri C. Cavalier and Johnny Pizzolatto.

NAYS: NONE.

ABSTAINING: NONE.

ABSENT: NONE.

And the resolution was declared adopted on this, the 16th day of December, 2009.

OFFERED BY: Ms. T. Cavalier.

SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 09-652

A Resolution awarding and authorizing the signing of the Construction Contract for Allemand Subdivision Drainage Improvements Project, Parish Project No. 09-DRA-16, Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government did receive construction bids on Allemand Subdivision Drainage Improvements Project, Parish Project No. 09-DRA-16, Terrebonne Parish, Louisiana on December 10, 2009, and

WHEREAS, the Parish desires to authorize the award of a construction contract to the firm that submits the lowest responsive, responsible bid within the authorized budget for the Allemand Subdivision Drainage Improvements Project, Parish Project No. 09-DRA-16, and

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to award a construction contract to the firm that submits the lowest responsive, responsible bid within the authorized budget, and

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute all necessary Contract Documents to authorize the lowest responsive, responsible bidder on Parish Project No. 09-DRA-16, to proceed with all necessary services for the completion of the project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 16th day of December, 2009.

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At this time, there were no speaker cards turned in from the public wishing to address the Council.

The Chairwoman called for a report on the Public Services Committee meeting held on 12/14/09, whereupon the Committee Chairman rendered the following:

PUBLIC SERVICES COMMITTEE

DECEMBER 14, 2009

The Chairman, Joey Cehan, called the Public Services Committee meeting to order at 5:47 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Tillman and the Pledge of Allegiance led by C. Voisin. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, and K. Voisin. Committee Member A. Williams was recorded as absent. A quorum was declared present.

The Chairman noted that Committee Member A. Williams was unable to attend this evening's meeting to her attendance at an engagement at the White House with President Barack Obama, then recognized former Councilman Wayne Thibodeaux who was present in the audience.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-653

Federal Stimulus Project State No. 742-55-0112, 005-05-0075, 065-30-0044 & 855-07-0015
"Terrebonne Parish Turn Lanes"

BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President, Michel H. Claudet, is hereby authorized to execute the City/State Agreement for Terrebonne Parish Turn Lanes Project using Federal Stimulus Project monies, between the Terrebonne Parish Consolidated Government and the Louisiana Department of Transportation and Development "Terrebonne Parish Turn Lanes Project".

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

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OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-654

Federal Stimulus Project State No. 742-55-0110 and 742-55-0111
"Terrebonne Parish Overlays and Concrete Section Repairs"

BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President, Michel H.

Claudet, is hereby authorized to execute the City/State Agreement for Terrebonne Parish Overlays and Concrete Section Repairs Project using Federal Stimulus Project monies, between the Terrebonne Parish Consolidated Government and the Louisiana Department of Transportation and Development "Terrebonne Parish Overlays and Concrete Section Repairs Project".

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

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OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-655

A Resolution awarding and authorizing the signing of the Service Contract for Canal and Laterals Cleaning, Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government is scheduled to received sealed quotations for Canal and Laterals Cleaning on December 10, 2009, and

WHEREAS, the Terrebonne Parish Consolidated Government desires to authorize the award of a service contract to the firm that submits the lowest responsive, responsible quotation within the authorized budget.

NOW, THEREFORE IT BE RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to award a service contract to the firm that submits the lowest responsive, responsible quotation within the authorized budget; and

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute all necessary Contract Documents to authorize the lowest responsive, responsible bidder on the Request for Sealed Quotations for Canal and Laterals Cleaning, to proceed with all necessary services for the completion of this project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

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OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 09-656

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No. 07-DRA-12, Upper Grand Caillou (D-08) Pump Station Rehabilitation Project, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated October 6, 2009, with Larry Doiron, Inc., for the Parish Project No. 07-DRA-12, Upper Grand Caillou (D-08) Pump Station Rehabilitation Project, Terrebonne Parish, Louisiana, and

WHEREAS, this change order has been recommended at the Owner’s request, to change the painting on the four pumps discharge piping to a Zinc Primer and Tnemec Paint System, and

WHEREAS, this change order is necessary in order to increase the contract price by \$5,300.00 and add 30 additional days to the contract time, and

WHEREAS, this Change Order No. 1 has been recommended by the ENGINEER for this project, Shaw Coastal, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 1 to the construction agreement with Larry Doiron, Inc., to perform construction services for Parish Project No. 07-DRA-12, Upper Grand Caillou (D-08) Pump Station Rehabilitation Project, which for a increase in the amount of Five Thousand Three Hundred Dollars and No Cents (\$5,300.00) to the original contract amount and to add 30 additional days to the contract time, 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 and K. Voisin.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-657

A resolution authorizing the execution of Change Order No. 5 for the Construction Agreement for Parish Project No. 09-LEV-18, Lower Ward 7 Levee Maintenance Interim Lift; North of Boudreaux Canal to South of Lashbrook Pump Station, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated July 16th, 2009, with Phylway Construction, LLC., for the Parish Project No. 09-LEV-18, Lower Ward 7 Levee Maintenance Interim Lift; North of Boudreaux Canal to South of Lashbrook Pump Station, Terrebonne Parish, Louisiana, and

WHEREAS, this change order covers the additional embankment needed for the perimeter levee repair near Victory St. access, and

WHEREAS, this change order is also necessary in order to increase the contract time by three (3) days due to the October rain days.

WHEREAS, this change order is necessary in order to increase the contract price by \$6,000.00 and

WHEREAS, this Change Order No. 5 has been recommended by the ENGINEER, Shaw Coastal, 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 Change Order No. 5 to the construction agreement with Phylway Construction, LLC, to perform construction services for Parish Project No. 09-LEV-18, Lower Ward 7 Levee Maintenance Interim Lift; North of Boudreaux Canal to South of Lashbrook Pump Station, for an increase in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00) to the original contract amount and previous Change Orders and for an increase of three (3) Calendar days, 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 and K. Voisin.

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

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Parish President Michel Claudet explained that an additional suggestion was submitted to Administration regarding the implementation of a marine traffic curfew on the Bayou Blue Pontoon Bridge during the interim period in which construction is being completed on the Prospect Street Bridge.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert and Mr. K. Voisin.

RESOLUTION NO. 09-658

A resolution requesting the United States Coast Guard to consider the implementation of marine curfew hours for the Bayou Blue Pontoon Bridge during the construction phase of the Prospect Street Bridge.

WHEREAS, although when completed, the new Prospect Street Bridge will be a tremendous aid to flow of local traffic, area motorists will be severely inconvenienced during the construction phase of the bridge replacement project, and

WHEREAS, the vast majority of motorists in the lower bayou communities somehow use the Prospect Street Bridge on a regular basis to get to Houma, Thibodaux and New Orleans, and

WHEREAS, the closure of the Prospect Street Bridge during the construction phase will greatly limit motorists from driving to and from their homes, business places and/or family and friends in a timely manner, and

WHEREAS, although varying work schedules are being implemented by local businesses to avoid mass "knock-off" times and excessively congested intersections, more has to be done to allow traffic to seek alternate means of driving around the lower portion of the parish, and

WHEREAS, it has been suggested to the Terrebonne Parish Consolidated Government to allow the Bayou Blue Pontoon Bridge to implement marine curfew hours, similar to the Houma Navigation Canal Bridge, so that motorists in the lower portion of the parish may know that they can reliably utilize the bridge as opposed to driving on Main Street and Park Avenue.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby request the United States Coast Guard to consider the implementation of marine curfew hours at the Bayou Blue Pontoon Bridge so that vehicular traffic may rely on the use of the bridge during the following hours:

- 6:30 AM to 8:30 AM
- 4:30 PM to 6:00 PM

, and

BE IT FURTHER RESOLVED that this curfew period be in place only during the construction phase of the Prospect Street Bridge Replacement Project, and

BE IT FURTHER RESOLVED that a copy of the resolution be forwarded to each member of Terrebonne Parish's Congressional and Legislative Delegations so that they may know of the Council's request on this matter.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

* * * * *

Public Works Director Lt. Col. (Ret.) Greg Bush stated that bids received for the Allemand Subdivision drainage project have come in under budget and that the base and alternate bids have been accepted. He noted that the bids should be awarded at Wednesday's Council meeting. (NO ACTION TAKEN)

Parish President Michel Claudet stated that the Board of Commissioners of the Recreation District No. 11 recently received funding to complete repairs to the East Houma Gym and that the board approved the funding at its board meeting on December 10, 2009.

Mr. A. Tillman moved, seconded by Mr. C. Voisin, "THAT, the Public Services Committee retain the matter relative to repairs to the East and West Houma Gymnasiums for further evaluation and request that the project architect for Recreation District No. 11 be present at a future meeting to answer questions."

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, and K. Voisin.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Public Works Operations Superintendent Perry Blanchard stated that Administration has submitted a plan of the screw gates operation to the Council for review.

Committee Member C. Voisin requested that Administration investigate the operation of the Tina Street screw gate during a recent storm event. He noted that the screw gate between the pasture and the subdivision was left open and flooding occurred in the subdivision.

Mr. Blanchard stated that he spoke with several residents this morning and was not made aware of flooding in the subdivision and added that he will investigate the matter. (NO ACTION TAKEN)

Mr. B. Hebert moved, seconded by Mr. K. Voisin, "THAT, the Public Services Committee add on to the agenda the matter relative to drainage concerns in Broadmoor Subdivision."

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, and K. Voisin.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman called for public comments on the matter relative to drainage issues in Broadmoor Subdivision of which there were none at this time.

Mr. C. Voisin moved, seconded by Mr. B. Hebert, "THAT, the Public Services Committee close the public comment period on the matter relative to drainage concerns in Broadmoor Subdivision."

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, and K. Voisin.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman recognized Ms. Cheri Navarre of Mire Street who inquired about the status of the Broadmoor Subdivision drainage report and requested that a copy be given to the residents and the Council.

Parish President Michel Claudet stated that Administration received a copy of the drainage report while Public Works Director Lt. Col. (Ret.) Greg Bush was on medical leave. He continued that funding for drainage improvements in Broadmoor Subdivision was recently approved in the 2010 Parish budget; that a plan to implement improvement has been drafted; and that Lt. Col. (Ret.) Bush will meet with the engineer this week.

Lt. Col. (Ret.) Bush stated that a meeting with the engineer is scheduled for Friday, December 18th; that a draft report was submitted in October; that the final report was submitted in November; that the report was reviewed with the Parish President for consideration in the proposed 2010 Budget; and that Administration intends to move forward with a plan in 2010.

President Claudet interjected that the 2010 Budget was approved on December 2, 2009 and that there has been no delay in the matter.

Committee Member B. Hebert inquired about the reasons why the engineer has not submitted a copy of the report to the Council for review and then requested a copy of the report. He added that some residents would like to review the report and schedule a meeting to discuss the report and the options presented in the report. (NO ACTION TAKEN)

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted and the meeting was adjourned at 6:07 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 12/14/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

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 12/14/09, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 1/13/10, rendered the following:

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

DECEMBER 14, 2009

The Chairman, A. Tillman, called the Community Development & Planning Committee meeting to order at 6:12 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by T. Cavalier 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, and K. Voisin. A quorum was declared present.

The Chairman announced that Committee Member A. Williams was unable to attend this evening's committee meeting due to her attendance at a reception at the White House with President Barack Obama.

Committee Member K. Voisin noted the diversity of Terrebonne Parish and requested consideration of Terrebonne Parish's rich heritage without interjecting racial proliferation during the pending discussion with respect to the proposed Coastal Phoenix Investments, LLC – Three Oaks Development.

The Chairman recognized Mr. Jason Baker of Sugar Cane Street, who presented a power point presentation reflecting the 187 homes in Southern Estates Subdivision; provided statistical information with respect to economic conditions in Terrebonne Parish; depicted numerous empty retail locations throughout the Parish; exhibited various hotel establishments; compared the residential square footage of the proposed development; noted possible depreciation of the adjacent residential home values if the commercial development is constructed; and expressed concern relative to an inflow of additional traffic in the existing subdivision.

The Chairman recognized Mr. Heath Ezell of Sugar Cane Street, who allowed Mr. Baker to offer comments on his behalf.

Mr. Baker continued his comparison of the proposed Three Oaks development to Southern Estates Subdivision noting that the proposed development will have asphalt roadways while the existing subdivision has concrete; that a proposed 256-apartment complex is included in the 814 new dwellings that will be located on 164 acres; and expressed concern with respect to additional traffic congestion and drainage in Southern Estates Subdivision.

The Chairman recognized Mr. Scotty Dryden of Sugar Trail Street, who allowed Mr. Baker to offer comments on his behalf. Mr. Baker continued, expressing concern with respect to widening the CCC Ditch due to the impact on existing sewerage lines; infrastructure limitations; presented allegations with respect to prior failed housing developments under the auspices of Mr. Jeff Simmons; and noted that the proposed development has been changed since the original submission of Three Oaks development. Mr. Baker requested that the Committee consider rescinding the resolution authorizing a conditional award of funding for the Coastal Phoenix Investments, LLC– Three Oaks development.

The following citizens addressed the Committee and explained their reasons for opposing the proposed Three Oaks Development:

Mr. David Bergeron, Sugar Bend Drive, expressed his opinion with respect to land use in Terrebonne Parish.

Ms. Debra Bergeron, Sugar Bend Drive, noted her opposition to the proposed Three Oaks development.

Ms. Barbara Larpenner, Horseshoe Road, expressed her concern with respect to recovery funding being awarded to an out-of-state company.

Mr. Jacob Daigle, Sugar Plum, questioned responsibility in the event that the proposed development adversely impacts Southern Estates Subdivision with additional flood waters.

The Chairman recognized Mr. Henry Richard, landowner and managing member of North Park, LLC, who stated that there has been a significant increase in the need for affordable housing; that several developers have contacted him expressing an interest in purchasing acreage; explained that mixed use and smart growth concepts incorporate commercial, multi-family, and single family residential into one comprehensive development, that a "Blue Ribbon" committee was formulated to consider affordable rental housing opportunities; that Coastal Phoenix Investments, LLC presented a mixed use/smart growth concept that met all of the criteria of the request for proposals, and has the financing in place to construct the development. He requested support of bringing affordable housing to Terrebonne Parish. In response to questioning, Mr. Richard stated that although there was some discussion regarding a cold storage and government complex, he did not speak with anyone regarding placing such at the proposed Three Oaks site.

The following individuals addressed the Committee and explained their reasons for opposing the Three Oaks Development:

Ms. Salena Richard, Sugar Bend Street, inquired about consideration of another site to develop affordable housing; and requested additional planning.

Mr. Duffy Duplantis, Sugar Land Street, noted flood concerns in Southern Estates Subdivision.

Ms. Jennifer Goulas, Sugar Cane Street, questioned the selection of the "Blue Ribbon Committee" charged with recommending an entity to provide low-to-moderate affordable housing in Terrebonne Parish utilizing Community Development Grant Block Recovery Funding; inquired about the influence of former Parish Manager Barry Blackwell and former Terrebonne Economic Development Authority President Henry Richard in the selection of Coastal Phoenix Investments, LLC – Three Oaks development; and cited possible ethics concerns as outlined within Title 24 of the Code of Federal Regulations.

Mr. K. Voisin moved, seconded by Mr. P. Lambert, "THAT, the Community Development & Planning Committee grant Ms. Goulas two minutes to conclude her comments."

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, and K. Voisin.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Ms. Goulas continued by noting environmental concerns due to the property being the former site of a race car drag strip and disclosure of such. She then inquired about the actual ownership of Coastal Phoenix Investments, LLC.

Upon questioning, Waire explained how the members of the "Blue Ribbon Committee" were selected and noted that at least one member works in banking; and stated that the actual identity of the companies submitting proposals was not disclosed until after the tabulations were calculated. Mr. Waire noted that Mrs. Paula Ringo is an employee of Catholic Social Services Housing and does not work for the Parish Government.

Parish President Michel Claudet stated that the \$10,000,000.00 recovery funding is not included in the \$120,000,000.00 Community Development Block Grant funding and that the funding must be used for affordable housing. He further explained that “dummy corporations” are sometimes located in other states for tax purposes; added that Administration met with representatives of the Office of Community Development and the Louisiana Recovery Authority and identified the developer after a Housing & Human Services Director Darrel recommendation was made; that neither entity halted or offered opposition to the selected development; and that the rain events depicted in Mr. Baker’s presentation occurred during a rain event in which 10 inches of rain fell within 4 hours. President Claudet further noted that the Parish has accepted a contract to clean St. Louis Bayou and the CCC Ditch; that the 1-1B Extension Project will include channel improvement extending to north Terrebonne; that the Parish is in the process of obtaining the remaining two rights-of-way; and that after the channel improvements are made the maximum water surface elevation will drop 2 feet.

Committee Member J. Cehan requested that an ethics opinion be obtained with respect to former Parish Manager Barry Blackwell being able to interact with the Parish Government to develop property, after the termination of his employment with the Parish Government, for a period of two years.

Parish Attorney Courtney Alcock stated that she attempted to call the Ethics Commission after the last meeting and is awaiting a response from the Commission regarding “an appearance of interest” by Mr. Blackwell.

Committee Member B. Hebert stated that he visited the State of Louisiana Legislative Auditor and the Attorney General’s office to inquire about any improprieties in relation to the proposed Three Oaks development and another matter. He continued that effective as of today, the Louisiana Recovery Authority has issued a memorandum requiring that all persons selected through a request for proposal process must complete a complete due diligence process and that the Governing Authority/Council would have the final approval on the Three Oaks development.

The Chairman recognized Mr. Jeff Simmons of Coastal Phoenix Investments, LLC who stated that the developer has made changes to the proposed development in concurrence with the residents’ requests; that the initial plan included duplexes and quad-plexes; that drainage issues were addressed for individual lots; that a buffer zone was agreed upon; that the developers do not object to closing off the stub out streets; however, existing Parish regulations require stub out streets; that an offer to discuss Mr. Gary Gibbs’ background was extended to the residents although no one has contacted him; and that each person purchasing or renting property in the proposed development would undergo a criminal background check, financial sustainability check, employment check, and past housing check.

The Chairman recognized Ms. Carrie Baker of Sugar Cane Street and Ms. Joy Plaisance of Sugar Bend Street, who expressed their concerns regarding additional “thru traffic” in Southern Estates Subdivision if the proposed development is connected and voiced their opposition to the proposed Three Oaks Development.

The Chairman recognized Mr. Reggie Bourg of Country Drive, who inquired about the disclosure of the ownership of Coastal Phoenix, LLC and questioned public participation in selecting the Three Oaks development.

Mr. K. Voisin moved, seconded by Mr. J. Cehan, “THAT, the Community Development & Planning Committee request an opinion from the Louisiana Attorney General’s Office and a ruling from the Louisiana Ethics Commission with respect to the membership of the ‘Blue Ribbon Committee’ and any individual directly or indirectly associated in the selection process, as presented by Ms. Jennifer Goulas, who have been charged to make a recommendation regarding the expenditure of Community Development Block Grant Recovery Grant funding for the possible purchase of property for the proposed Three Oaks development.” (**MOTION AMENDED AFTER DISCUSSION AND THE FAILURE OF THE SUBSTITUTE MOTION)

Committee Member T. Cavalier expressed her concerted efforts in representing the citizens of District 4 and affordable housing. She noted the pace of growth in northern Terrebonne Parish and inadequate infrastructure to keep pace with the additional growth.

Upon questioning regarding revoking the dedication of stub out streets in Southern Estates - The Parks Subdivision, Ms. Alcock stated that the revocation must be done by ordinance after a street is determined as not needed for a public purpose and that the Council must certify the action.

Planning & Zoning Director Patrick Gordon explained the process of revoking roadways and the Houma-Terrebonne Regional Planning Commission's requirement of including stub out streets in new developments. He added that he does not know if the revocation of the stub out streets in Southern Estates – The Parks Subdivision could be justified.

In response to additional questioning, Ms. Alcock stated that enactment of an ordinance to revoke a roadway could be challenged as an unreasonable action due to there being no justification to revoke the dedication. She added that a challenge could come from any development wanting to connect with the existing subdivision to provide transit.

Committee Member T. Cavalier requested that the matter relative to the revocation of stub out streets in Southern Estates – The Parks Subdivision be placed on the next committee agenda.

THE FOLLOWING EXCERPT WAS REMOVED FROM THE MINUTES PRIOR TO RATIFICATION BY THE COUNCIL ON 12-16-09, THEREFORE ACTION IS NULL AND VOID:

****Mr. J. Pizzolatto moved, “THAT, the Community Development & Planning Committee request an opinion from the Louisiana Attorney General’s and a ruling from the Louisiana Ethic Commission regarding participation of Mr. Barry Blackwell in the proposed Three Oaks Development and defer action on awarding funding to Coastal Phoenix Investment, LLC until such time as the opinions have been received.” (**SUBSTITUTE MOTION FAILS DUE TO THE LACK OF A SECOND)**

Housing & Human Services Director Darrel Waire explained how the “Blue Ribbon Committee” was selected and that the request for proposals did not require that the location of the proposed development be disclosed. He noted that the execution of documentation for the Three Oaks development can not occur until approval from the State has been received and everything is in place.

Committee Member C. Voisin requested that no action be taken on the aforementioned matter until the opinions are received.

****Mr. K. Voisin moved, seconded by Mr. J. Cehan, “THAT, the Community Development & Planning Committee request an opinion from the Louisiana Attorney General’s Office and a ruling from the Louisiana Ethics Commission with respect to the membership of the ‘Blue Ribbon Committee’ and any individual directly or indirectly associated in the selection process, as presented by Ms. Jennifer Goulas, who have been charged to make a recommendation regarding the expenditure of Community Development Block Grant Recovery Grant funding for the possible purchase of property for the proposed Three Oaks development and that Administration defer action on signing any documentation to award funding until the opinions have been received.” (**AMENDED MOTION ADOPTED AFTER DISCUSSION)**

President Michel interjected that Coastal Phoenix Investments, LLC complied with all requisites and that neither the Louisiana Recovery Authority nor the Office of Community Affairs raised any opposition to the proposed Three Oaks development. He added that any concerns with respect to Mr. Blackwell’s involvement may be addressed, but not the integrity of the “Blue Ribbon Committee”, and added that the time limitation for Mr. Blackwell to refrain from interests in governmental projects expires in January 2010.

Upon additional questioning, Mr. Waire stated that although two environmental assessments have been completed, an additional assessment must be conducted per federal requirements.

**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, A. Tillman, C. Voisin, and K. Voisin.

NAYS: J. Pizzolatto.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Planning & Zoning Director Patrick Gordon stated that the Parish completed a Hazard Mitigation Plan after Hurricanes Katrina and Rita and is required to update the plan periodically in accordance to FEMA guidelines.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 09-659

RESOLUTION REQUESTING THE APPROVAL OF THE HAZARD MITIGATION PLAN UPDATE DEVELOPED UNDER TERREBONNE PARISH FLOOD HAZARD MITIGATION PROGRAM WITH FEMA FUNDS FROM HURRICANE RITA.

WHEREAS, on October 30, 2000, the President signed into law the Disaster Mitigation Act of 2000 (DMA 2000), and

WHEREAS, DMA 2000 amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act by, among other things, adding a new section, 322—Mitigation Planning—which places new emphasis on local mitigation planning, and

WHEREAS, Section 322 requires local governments to develop and submit mitigation plans as a condition of receiving Hazard Mitigation Grant Program (HMGP) project grants, and

WHEREAS, an Interim Final Rule (the Rule) for implementing Section 322 was published in the Federal Register, 44 CFR Parts 201 and 206, on February 26, 2002, with requirements for Local Plans found in Part 201.6, and

WHEREAS, in Louisiana, the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) local mitigation planning initiative is focused at the parish level, and

WHEREAS, all Federal Emergency Management Agency (FEMA) and GOHSEP procedures have been adhered to and approvals obtained, and,

WHEREAS, the Terrebonne Parish Consolidated Government is committed to proactive planning to avoid future damages from storm events to the extent foreseeable,

WHEREAS, the Terrebonne Parish Consolidated Government participated in preparation of the Hazard Mitigation Plan Update to identify and prioritize improvements within the parish eligible for HMGP funding and supports the plan as it pertains to the entire parish,

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President and Council does hereby adopt the overall Hazard Mitigation Plan Update dated November 2009.

THERE WAS RECORDED:

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

NAYS: None.
ABSTAINING: None.
NOT VOTING: None.
ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

Subdivision Regulations Subcommittee member Alex Ostheimer explained that drainage systems are designed by developers, submitted to the Parish to ensure compliance with Parish Codes, inspected, and accepted by the Council. He continued that previously, there was no law to prohibit a property owner from amending the drainage system following Council approval, and that the proposed ordinance addresses this concern.

OFFERED BY: Mr. C. Voisin.
SECONDED BY: Mr. B. Hebert and Mr. P. Lambert.

RESOLUTION NO. 09-660

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AMEND THE SUBDIVISION REGULATIONS, CHAPTER 24, SECTION 24.2 GENERAL, OF THE TERREBONNE PARISH CODES.

BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is hereby given for adopting an ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.2 General, of the Terrebonne Parish Codes; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, January 13, 2010.

THERE WAS RECORDED:
YEAS: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, A. Tillman, C. Voisin and K. Voisin.
NAYS: None.
ABSTAINING: None.
NOT VOTING: None.
ABSENT: J. Pizzolatto and A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

The Chairman recognized Houma-Terrebonne Regional Planning Commission member Alex Ostheimer who stated that the Planning Commission must take action on the proposed Three Oaks Development at its next meeting or the application will automatically prescribe on January 18, 2010 if the developer does not request a postponement.

The Chairman recognized Mr. John Prejean of Tulip Street, who expressed his support of the proposed ordinance to regulate altering drainage plans after a development has received approval.

OFFERED BY: Ms. T. Cavalier.
SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-661

A Resolution giving Notice of Intent to adopt an ordinance 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.

THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that notice of intent is given for adopting an ordinance to amend 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; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, January 13, 2010 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 09-662

A Resolution giving Notice of Intent to adopt 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.”

THEREFORE, BE IT RESOLVED by the Terrebonne Parish Consolidated Government, that notice of intent is given for adopting an ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.3 Definitions to include additional definitions relating to Residential Building Parks; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, January 13, 2010 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

Committee Member C. Voisin exited the proceeding at 8:26 p.m.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 09-663

A Resolution giving Notice of Intent to adopt an ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.4.2.2 Approval Process B to include Residential Building Parks as per “Attachment A.

THEREFORE, BE IT RESOLVED by the Terrebonne Parish Consolidated Government, that notice of intent is given for adopting an ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.4.2.2 Approval Process B to include Residential Building Parks; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, January 13, 2010 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: C. Voisin and A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

* * * * *

Mr. B. Hebert moved, seconded by Mr. J. Pizzolatto, "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, and K. Voisin.

NAYS: None.

ABSENT: C. Voisin and A. Williams.

The Chairman declared the motion adopted and the meeting was adjourned at 8:27 p.m.

Alvin Tillman, Chairman

Suzette Thomas Minute Clerk

At the request of Councilman K. Voisin, Parish Attorney C. Alcock explained that a La. Ethics ruling would be issued by an administrative law judge for the Ethics Board, as a result of a complaint filed and an investigation taking place. She stated that La. Ethics opinions are issued by the Ethics Commission regarding an item that may be coming up. She stated that the Board will not issue opinions on prior acts.

Chairwoman A. Williams relinquished the Chair to Vice-Chairman J. Pizzolatto.

Councilwoman A. Williams expressed the need to clarify the action taken at the Community Development Committee regarding a La. Ethics opinion or ruling because of the significant difference between the two.

Mr. A. Tillman moved, seconded by Mr. C. Voisin, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 12/14/09, pulling the action taken regarding the request to obtain an opinion and ruling from the La. Ethics Commission with respect to the Blue Ribbon Committee and any individual directly or indirectly associated in the selection process, who have been charged to make a recommendation regarding the expenditure of Community Development Block Grant Recovery funding for property for the proposed Three Oaks Development." ***(MOTION VOTED ON AFTER DISCUSSION)**

A discussion ensued relative to whether the matter regarding the La. Ethics request should be pulled from the Community Development minutes to clarify opinion and request.

Chairwoman A. Williams resumed the Chair.

The Chairwoman recognized Mr. Berwick Duval, attorney representing Coastal Phoenix Investments, who stated that his client has some concern about the action taken at the Community Development committee meeting Monday night and requested clarification.

Chairwoman A. Williams stated that the 6:30 p.m. public hearings will be delayed until the matter on the table is settled.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

A lengthy discussion ensued relative to the action taken at the Community Development committee at Monday's meeting and whether a La. Ethics opinion or ruling should be requested and if it will include the entire Blue Ribbon Committee or just one of the owners of the property who happened to be TPCG Parish Manager less than two years ago.

Mr. J. Pizzolatto moved, seconded by Mr. K. Voisin, "THAT, the Council request a La. Ethics ruling as to whether the former TPCG former Parish Manager could participate in selling property to Coastal Phoenix for the proposed Three Oaks Project, without being in violation."
***(MOTION AMENDED AFTER DISCUSSION.)**

Upon questioning by Councilman A. Tillman, Parish Attorney C. Alcock stated that the Parish has not signed a contract yet with the developer, the property has not been sold yet, therefore there are some prospective acts in the future, no compensation has been received, so an opinion could be requested from the Ethic Commission. She stated that a ruling could be requested for acts that have happened already. She stated she feels that the Council would be in its right to ask for an Ethics opinion.

The Chairwoman recognized Mr. Berwick Duval, attorney representing Coastal Phoenix, who stated that if it is the Council's plan to request an Ethics Commission opinion, his client would not have any objection, but if it is their plan to request a ruling, whereby an investigation would be started and could go on for years, his client does a problem with that. He stated that if an investigation is requested that other people, issues, and entities be included in the investigation, and explained what he meant by that.

A lengthy discussion ensued relative to whether the Council will request an Ethics opinion verses a ruling regarding the former Parish Manager's sale of property to the developer for the proposed Three Oaks Project.

Mr. J. Pizzolatto amended the motion, seconded by Mr. K. Voisin, "THAT, the Council request a La. Ethics *opinion* as to whether the former TPCG former Parish Manager could participate in selling property to Coastal Phoenix for the proposed Three Oaks Project, without being in violation." ***(MOTION VOTED ON AFTER DISCUSSION.)**

A further discussion ensued relative to whether the Council will request an Ethics opinion verses a ruling regarding the former Parish Manager's sale of property to the developer for the proposed Three Oaks Project.

Mr. J. Pizzolatto called for the question.

The Chairwoman called for a vote on the call for the question.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the question adopted.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: C. Voisin, J. Cehan, and B. Hebert

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. P. Lambert and Mr. J. Cehan, “THAT, it now being 7:10 p.m., the Council open public hearings at this time.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- A. A proposed ordinance to amend the Subdivision Regulations, Chapter 24, Sections 5.1 (item 9), 5.2 (item 9), 5.3.1 (paragraph 4), 5.4.2 (item 13), 5.4.3 (item8), 5.4.4 (item 11), 5.4.6 (item 9), 5.5 (item 10), and 5.6 (item 9) – change to “submitted by any electronic method accepted by the Planning Director”

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

Mr. K. Voisin moved, seconded by Ms. T. Cavalier, “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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. T. Cavalier.

ORDINANCE NO. 7755

AN ORDINANCE TO AMEND THE SUBDIVISION REGULATIONS, CHAPTER 24, SECTIONS 5.1 (ITEM 9), 5.2 (ITEM 9), 5.3.1 (PARAGRAPH 4), 5.4.2 (ITEM 13), 5.4.3 (ITEM 8), 5.4.4 (ITEM 11), 5.4.6 (ITEM 9), 5.5 (ITEM 10), AND 5.6 (ITEM 9) – CHANGE TO “SUBMITTED BY ANY ELECTRONIC METHOD ACCEPTED BY THE PLANNING DIRECTOR” OF THE TERREBONNE PARISH CODES.

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, Sections 5.1 (item 9), 5.2 (item 9), 5.3.1 (paragraph 4), 5.4.2 (item 13), 5.4.3 (item 8), 5.4.4 (item 11), 5.4.6 (item 9), 5.5 (item 10), and 5.6 (item 9) – change to “submitted by any electronic method accepted by the Planning Director” of the Terrebonne Parish Codes.

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 16th day of December, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

- B. A proposed ordinance to amend the 2009 Budget to recognize the funding for energy assistance from the La. Association of Community Action Partnerships, Inc

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

Mr. A. Tillman 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. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. J. Cehan.

ORDINANCE NO. 7756

AN ORDINANCE TO AMEND THE 2009 ADOPTED BUDGET FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) CONTRACT WITH THE LOUISIANA ASSOCIATION OF COMMUNITY ACTION PARTNERSHIPS, INC. (LACAP, INC) FOR FY 2010.

WHEREAS, the Housing and Human Services Department administers an energy assistance program for the elderly and disadvantaged using Federal grants, and

WHEREAS, the contract/grant amount of \$249,650.80 is available to Terrebonne Parish Consolidated Government for the period of October 1, 2009 through September 30, 2010 to provide financial assistance to low-income families in Terrebonne Parish to meet the costs of home energy, and

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, recognizes that low income families are in need of assistance to meet the cost of home energy, especially those with the lowest incomes, the elderly and persons with disabilities.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government, does hereby amend the 2009 Adopted Budget for the LIHEAP Contract.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 16th day of December, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

C. A proposed ordinance to amend the 2009 Budget to recognize the funding for the following items:

- Citizens' Share of Elevation Costs HMGP 1603, \$451,222
- Prep of Hazard Mitigation Grant and Severe Repetitive Loss Applications, \$56,250
- 5% Budget Adjustment for Coastal Restoration Fund, \$113,685
- 5% Budget Adjustment for Dedicated Emergency Fund \$104,000
- 5% Budget Adjustment for Parish Prisoners Fund \$388,458
- 5% Budget Adjustment for Road Lighting District #3 Fund, \$32,418
- Adjust Interest Income 1-1B Construction Fund \$3,700.

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

Mr. A. Tillman moved, seconded by Ms. T. Cavalier, "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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Ms. T. Cavalier.

ORDINANCE NO. 7757

AN ORDINANCE TO AMEND THE 2009 ADOPTED OPERATING BUDGET FOR THE FOLLOWING ITEMS:

- I. Citizens' Share of Elevation Costs HMGP 1603, \$451,222
- II. Prep of Hazard Mitigation Grant and Severe Repetitive Loss Applications, \$56,250
- III. 5% Budget Adjustment for Coastal Restoration, \$113,685
- IV. 5% Budget Adjustment for Dedicated Emergency, \$104,000
- V. 5% Budget Adjustment for Parish Prisoners, \$399,458
- VI. 5% Budget Adjustment for Road Lighting #3, \$32,418
- VII. Adjust Interest Income 1-1B Construction Fund, \$3,700

SECTION I

WHEREAS, through Ordinance Number 7550 adopted on October 22, 2008, for the Parish to receive Federal funding from FEMA for Projects Numbers FEMA-1603-DR-LA and FEMA-1607-DR-LA, and

WHEREAS, Project Number FEMA-1603-DR-LA has citizen participation whereby the citizens will pay a total of \$451,222, and

WHEREAS, this portion is Increase Cost of Compliance (ICC) and Road Home money that the homeowner received and is applying towards the cost to elevate their homes.

BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to recognize the citizens' portion of Home Elevation Costs. (Attachment A)

SECTION II

WHEREAS, the Parish is moving forward with two applications for a FEMA Hazard Mitigation Grant Program and Severe Repetitive Loss Program and if both are funded, the both programs will be federally-funded programs, and

WHEREAS, the Parish has an agreement with Solutient which will provide project management services which is designed to greatly reduce or eliminate flood damages to qualifying repetitive loss and /or substantially damaged residential structures in flood-prone areas, and

WHEREAS, the cost of these agreements with Solutient at this time is \$41,250 for the Hazard Mitigation Grant Program application and \$15,000 for the Severe Repetitive Loss Program application which may be refundable to General Fund by FEMA which will be determined at a later date.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to fund the application process for both the FEMA Hazard Mitigation Grant Program and Severe Repetitive Loss Program. (Attachment B)

SECTION III

WHEREAS, the Parish is required to recognize collected or projected revenues which have a variance 5% or more under the current budget, and

WHEREAS, the Coastal Restoration and Preservation Fees Account requires a \$105,000 reduction and Department of Natural Resources Grant requires an \$8,685 reduction.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to recognize the necessary adjustment for the Coastal Restoration Fund. (Attachment C)

SECTION IV

WHEREAS, the Parish is required to recognize collected or projected revenues which have a variance 5% or more under the current budget, and

WHEREAS, the Dedicated Emergency Fund Interest Earned Account requires a \$104,000 reduction.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to recognize the necessary adjustment for the Dedicated Emergency Fund. (Attachment D)

SECTION V

WHEREAS, the Parish is required to recognize collected or projected revenues which have a variance 5% or more under the current budget, and

WHEREAS, the Parish Prisoners Transfer In Account from General Fund requires a \$399,458 reduction due to the prisoners not being at the jail for the full 2009 year due to the relocation of the prisoners during and after Hurricane Gustav.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to recognize the necessary adjustment for the transferring of funds between General Fund and Parish Prisoners Fund. (Attachment E)

SECTION VI

WHEREAS, the Parish is required to recognize collected or projected revenues which have a variance 5% or more under the current budget, and

WHEREAS, the Road Lighting District #3 Fund State Revenue Sharing and Interest Earned Accounts require a \$32,416 reduction.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to recognize the necessary adjustment for the Road Lighting District #3 Fund. (Attachment F)

SECTION VII

WHEREAS, the Parish needs to recognize Interest Income for the 1-1B Construction Fund in the amount of \$3,700.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Operating Budget be amended to recognize the interest earning for the 1-1B Construction Fund. (Attachment G)

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 16th day of December, 2009.

* * * * *

ATTACHMENT A - Citizens/ Share of Elevation Costs HMGP 1603

	2009		
	Adopted	Change	Amended
Elevation 1603	-	451,222	451,222
1603 Citizens Participation	-	(451,222)	(451,222)

ATTACHMENT B – Hazard Mitigation Grant Program and Severe Repetitive Program

	2009		
	Adopted	Change	Amended
Other Fees	5,000	56,250	61,250
Fund Balance (Decrease)	N/A	(56,250)	N/A

ATTACHMENT C - Coastal Restoration Fund

	2009		
	Adopted	Change	Amended
Coastal Impact Fees	(250,000)	105,000	(145,000)
DNR Grant	(42,000)	8,685	(33,315)
Fund Balance (Decrease)	N/A		N/A

(113,685)

ATTACHMENT D - Dedicated Emergency Fund

	2009		
	Adopted	Change	Amended
Interest Earnings	(105,000)	104,000	(1,000)
Fund Balance (Decrease)	N/A	(104,000)	N/A

ATTACHMENT E - Parish Prisoners Fund

	2009		
	Adopted	Change	Amended
Transfer From General Fund	(3,199,458)	399,458	(2,800,000)
Fund Balance (Decrease)	N/A	(399,458)	N/A
Transfer To Parish Prisoners Fund	3,199,458	(399,458)	2,800,000
Fund Balance (Increase)	N/A	(399,458)	N/A

ATTACHMENT F - Road Lighting Dist #3 Fund

	2009		
	Adopted	Change	Amended
State Revenue Sharing	(19,200)	5,916	(13,284)
Interest Earnings	(6,000)	6,000	-
Interest - LAMP	(19,000)	16,500	(2,500)
Interest - Government	(4,000)	4,000	-
Fund Balance (Decrease)	N/A	(32,416)	N/A

ATTACHMENT G - 1-1B Construction Fund

	2009		
	Adopted	Change	Amended
Interest Earnings	-	(3,700)	(3,700)
Fund Balance (Increase)	N/A	3,700	N/A

The Chairwoman recognized the public for comments on the following:

- D. A proposed ordinance to enact Chapter 24 of the Terrebonne Parish Code to implement a policy for Tax Increment Financing

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

Mr. B. Hebert 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. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

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

ORDINANCE NO. 7758

AN ORDINANCE TO ENACT CHAPTER 24 OF THE TERREBONNE PARISH CODE TO IMPLEMENT A POLICY FOR TAX INCREMENT FINANCING AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, Sec. 1-06 of the Home Rule Charter for the Parish of Terrebonne provides that parish government shall have the right, power and authority to pass all ordinances requisite or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the parish, including, but not by way of limitation, the right, power and authority to pass ordinances on all subject matters necessary, requisite or proper for the management of parish affairs, and all other subject matter without exception, subject only to the limitation that the same shall not be inconsistent with the constitution or expressly denied by general law applicable to the parish; and

WHEREAS, consistent with the purpose of the State of Louisiana's Cooperative Economic Development provisions relative to Tax Increment Financing-Local Government Subdivisions currently found at LA R.S. 33:9038.31 et seq and as may be amended, and to afford maximum opportunity for economic development in Terrebonne Parish, Terrebonne Parish Consolidated Government has developed the following policies, rules and regulations to carry out the purposes and goals of the legislation; and

WHEREAS, the Terrebonne Parish Council, in the interest of economic development and the judicious use of tax increment financing as a means to promote economic development in Terrebonne Parish desires to adopt a policy which it will employ when considering applications for tax increment financing; and

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Chapter 24 of the Terrebonne Parish Code is enacted as follows:

SECTION 1

Chapter 24 is hereby enacted to read in its entirety as follows:

Section 24-1 Purpose.

Consistent with the purpose of the State of Louisiana's Cooperative Economic Development provisions relative to Tax Increment Financing-Local Government Subdivisions currently found at LA R.S. 33:9038.31 et seq and as may be amended (Act), and to afford maximum opportunity for economic development in Terrebonne Parish, Terrebonne Parish Consolidated Government (TPCG) has developed the following policies and regulations to carry out the purposes and goals of the legislation.

Section 24-2 Terms and Definitions.

Tax increment financing (TIF) by local governmental subdivisions dedicates tax increments not dedicated to service on bonds, within a certain defined economic development district, to be pledged to promote an approved economic development project (Project) as defined by state law within the economic development district in accordance with state law and the policies set out herein and may generally take one of two forms:

1. Ad valorem tax increment

An ad valorem tax increment consists of that portion of the ad valorem tax revenues for any or all participating tax recipient entities collected each year from property located within a defined economic development district (District), as created by ordinance of the Terrebonne Parish Council, which exceeds the revenues that would be collected for such tax recipient entities if such District property were assessed at its value as of the year immediately prior to the year in

which the District was established. The Governing Authority of any District shall not levy an additional ad valorem tax on property within the District as provided in the Act unless approved in writing by the owners of 100% of the property assessed within such District.

2. Sales tax increment

Sales tax increments may include all incremental increases in the designated sales tax as defined by state law and on sales of services as defined by state law and may include hotel occupancy taxes, occupancy taxes or similar taxes or any combination designated and collected in an economic development district by all participating tax recipient entities, provided that:

- a. The increment exceeds the designated sales tax revenues and hotel occupancy taxes, occupancy taxes, or similar taxes as designated that were collected in the year immediately prior to the year in which the District was established; and
- b. Such revenues may be used for such purpose and upon prior determination by the Parish Council or other taxing authority that the base line revenue collection is sufficient to satisfy existing dedications and other statutory charges.

3. Governing Authority

The Governing Authority of any District shall be the Terrebonne Parish Council, and the administration of any District shall be the Terrebonne Parish Consolidated Government. The Governing Authority may designate an administrative and fiscal agent to service Districts and anticipates designating its economic development authority, the Terrebonne Economic Development Authority, to so perform in accordance with state and local law.

USES OF INCREMENTAL INCREASES IN TAXES

As set out in an approved Cooperative Endeavor Agreement between the relevant Governing Authority and the principals of an economic development district created pursuant to state law:

- Incremental increases in taxes can be funded into revenue bonds from tax increment revenues generated within the District all as provided by state law and in accordance with bonding procedures set out in the TIF statutes.
- Incremental increases in taxes within a District may be leveraged to guaranty multiple revenue project financings. These tax increments can be used to build up a reserve of up to three years debt service for such Projects accessible upon the occurrence of certain conditions and in compliance with the regulations set out herein and in the cooperative endeavor agreement.
- Incremental tax increases can be deposited into an economic development trust fund and may be loaned, granted, donated, or pledged in furtherance of economic development projects.

Section 24-3 General Policy.

1. It is the policy of Terrebonne Parish Consolidated Government to consider the judicious use of TIF for those economic development Project(s) which demonstrate a substantial and significant public benefit by constructing public works and infrastructure improvements and other approved improvements in support of Project(s) that will, by creating new jobs, retaining existing employment, or other demonstrated benefits, assist with one or more of the following: eliminate blight, strengthen the employment and economic base of the Parish, increase property values and tax revenues, reduce poverty, create economic stability, stabilize and upgrade existing neighborhoods or commercial areas, facilitate economic self-sufficiency, and implement the economic development strategy of the Parish; priority will be given to projects which include downtown development, Brownfield development, rehabilitation of historic structures, point of destination development, development within the enterprise zones, business retention/expansion, development districts and projects with high levels of new employment, high direct investment, large payroll creation, technologically intensive growth opportunities or in the sole discretion of

Terrebonne Parish Consolidated Government, provide extraordinary economic development benefits.

2. Each TIF application shall be thoroughly evaluated to ensure that the benefits which will accrue from the approval of the TIF Project are consistent with the Louisiana Constitutional requirements of Article VII Section 14, TIF legislation and equitable to the current parish economic conditions.

3. Policy Guidelines.

All applications for TIF Projects shall be thoroughly evaluated by committee and a non-binding recommendation shall be made by such committee; any such evaluation committee shall include four members of the Terrebonne Parish Council, two members from the Terrebonne Economic Development Authority, and three members from the Terrebonne Parish Consolidated Government Administration, namely, the Parish President, the Parish Manager, and the Director of Planning.

The following non-binding criteria are to be used to evaluate and consider TIF Project(s) applications prior to consideration by the Terrebonne Parish Council:

a. Each TIF applicant must demonstrate that:

- i. without the use of TIF the project is not feasible and may not otherwise be completed, or
- ii. the project is of such a compelling nature that the use of TIF is appropriate.

b. If the TIF project will involve the issuance of bonds or notes, the TIF applicant must show that projected incremental increases in taxes will, at a minimum, cover the projected debt service by a reasonable margin. The TIF applicant must show that the issuance of bonds or notes shall have no negative impact on the bond rating of TPCG.

c. TIF assistance for constructing or upgrading public works and infrastructure is favored, i.e. street, utility, and lighting.

d. Each TIF application must include evidence that the applicant:

- i. Has explored alternative financing methods other than TIF assistance.
- ii. Has demonstrated to the Parish that such applicant possesses financial and technical ability to complete and operate the project.

e. Preference will be given to applicants who contribute equity of at least fifteen percent (15%) of the total cost of the Project or provide a suitable instrument or performance bond for the completion of the Project; Projects with equity contributions from the applicant in excess of the local TIF investment will also be viewed favorably.

f. TIF will, under this policy, only be paid from incremental increases of local and/or State tax permitted by the Tax Increment Financing statutes, as may be amended, and shall not be paid from any other governmental source.

g. TIF Project(s) that create jobs with wages that exceed community average are favored. Each TIF applicant shall provide the following statistics:

- i. The total number of additional employees that will be hired, including a statement of what percentage of employees residing in the Parish will be hired; and
- ii. The skill and educational levels, and range of salary and compensation required for jobs to be created.

- h. Each TIF Applicant shall fully comply with Davis Bacon for the TIF positions created with the Project if federal dollars are used in developing other parts of the Project(s) where Davis Bacon is mandated.
- i. If the Project will involve development/redevelopment of vacant land, the applicant shall provide evidence or certify that the Project shall conform to all parish ordinances, regulations and requirements of the Houma-Terrebonne Regional Planning Commission and the regional MPO plan and serve as a catalyst for further, high quality development or redevelopment.
- j. Projects involving hurricane redevelopment of existing retail, commercial, office or industrial property must provide evidence that the Project shall serve to stabilize areas that have or will likely experience deterioration.
- k. Projects for retail and commercial service uses will be reviewed to determine if they target those uses that encourage an inflow of customers from outside the Parish or that will provide services or fill retail markets that are currently unavailable or in short supply in the Parish.
- l. Each TIF Applicant shall fully comply and ensure compliance by "anchor tenants" with the provisions of the TIF Cooperative Endeavor Agreement.
- m. Projects involving new residential development should fulfill significant targeted housing needs for the Parish's current and/or projected population without substantially negatively impacting public services and facilities including schools.
- n. Projects involving residential development should encourage a diversity of household income, mixed income and mixed use.
- o. Projects involving development/redevelopment of business areas shall include information regarding:
- i. The proposed business type and major tenants,
 - ii. The population areas and demographics from which the project will draw, and
 - iii. Similar businesses that would compete with TIF District businesses.
- p. Except in extenuating circumstances, TIF investment shall be made as the "last" dollars into a Project or at a minimum not made available other than on a proportional basis to the Applicant contribution to insure that the Parish is receiving the benefits represented and agreed to by the Applicant in the Agreement.
- q. If a Project involves relocation of a business from other areas of the Parish, the amount of tax increments may be limited to those in excess of the amounts generated at the business' current location or in such other manner as may be determined to be fair and equitable.
- r. Applicants shall specify the estimated maximum term for full payout of the primary financing instrument and full payout of all Project costs.
- s. TPCG shall require a public hearing on the implementation of District(s) and TIF(s) prior to approving any TIF applications.

Section 24-4. Cooperative Endeavor Agreement Accountability Provisions.

Cooperative Endeavor Agreements (Agreement) with successful TIF Applicants shall include the following provisions where applicable:

1. Triggers for Release of TIF Revenues:

- a. TIF obligations (bonds or traditional notes) as defined in the Tax Increment Finance statutes will not be issued by the District until Project specific performance criteria set forth in the Agreement are met; or
 - b. Direct reimbursement to the applicant will not be expended until Project specific performance criteria set forth in the Agreement are met.
2. Specify that the District shall not guarantee repayment of TIF obligations from any source other than TIF revenues authorized by the Act.
 3. All administrative costs associated with reviewing and processing of the application and the creation and operation of any District shall be paid by the applicant pursuant to a funding agreement. This agreement may provide that these costs include but are not limited to legal costs, publication costs, surveying and engineering costs and accounting costs shall be reimbursable from TIF revenues prior to funding Project costs. The administrative costs fees will be calculated in addition to costs of issuance of any bonds or other evidence of indebtedness.
 4. Except in extenuating circumstances, TIF investment shall be made as the "last" dollars into a Project or at a minimum not made available other than on a proportional basis to the Applicant/Developer contribution to insure that the District is receiving the benefits represented and agreed to by the Applicant/Developer in the Agreement.
 5. Circumstances under which TIF assistance may be required to be rebated from Applicant/Developer if bonds are issued or reduced if no bonds are issued where the following non-exclusive list of specified minimum requirements are not met as provided for in the Agreement:
 - a. Minimum levels of employment during Project implementation;
 - b. Deadline for completion of construction of public infrastructure related to project; and
 - c. Deadline for completion of the entire TIF Project pursuant to the Cooperative Endeavor Agreement.
 6. If a Project involves relocation of a business from other areas of the Parish, the amount of tax increments may be limited to those in excess of the amounts generated at the business' current location or in such other manner as may be determined to be fair and equitable at the sole discretion of the District.
 7. Before issuance of a building permit for a project to be financed in whole or in part through TIF, District shall require approval of a project design through review by the Parish Planning Department to assure that it is consistent with both the approved Agreement and currently accepted and authorized design standards.

Section 24-5 Applicant/ Developer Reporting Requirements.

Upon execution of the Cooperative Endeavor Development Agreement, the Developer shall be responsible to provide quarterly reports of incremental revenues of businesses and tenants located within the District as long as the Agreement is in place. This provision is in addition to all reporting required by the local and state sales tax offices. All leases signed with the Developer within the District must include a provision that the lessee will provide the requested information to the Developer and District. In the event that there are other businesses within the District that do not have a lease with the Developer, these businesses must also submit the requested information to the District regarding incremental revenues. A form will be included in the Agreement which will be sent to the Developer and businesses within the District from the tax collector and District requesting the tax receipts.

SECTION 2

All other portions of the Terrebonne Parish Code of Ordinances shall remain the same.

SECTION 3

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 4

This ordinance shall become effective upon signing by the Parish President or, if not signed by the Parish President, in accordance with Sections 2-12, 2-13 and 2-14 of the Terrebonne Parish Home Rule Charter.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 16th day of December, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

- E. A proposed ordinance amending Chapter 2, Article XVI, "Public Cemeteries" to provide for residency requirements regarding the burial of persons in a parish owned public cemetery

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

Mr. A. Tillman 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. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7759

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE XVI. "PUBLIC CEMETERIES" OF THE CODE OF TERREBONNE PARISH, SECTION 2-505 TO PROVIDE FOR RESIDENCY REQUIREMENTS REGARDING THE BURIAL OF PERSONS IN A PARISH-OWNED PUBLIC CEMETERY AND TO ALLOW FOR RELATED MATTERS.

WHEREAS, Article XVI of Chapter 2 of the Code of Terrebonne Parish sets out the rules and regulations for cemeteries owned by Terrebonne Parish Consolidated Government; and

WHEREAS, due to increasing constraints on the number of available plots, the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government desires to amend the pertinent sections of Article XVI of Chapter 2 to require that any person being buried in a new plot must have been a resident of the Parish of Terrebonne at the time of their death; and

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that:

SECTION I

Using underlining format to show additions to the article and ~~striketrough format~~ to show deletions from the article for the purposes of this ordinance, Section 2-505. Public cemetery rules and regulations. shall be amended to read as follows:

Sec. 2-505. Public cemetery rules and regulations.

All burials and visitations within public cemeteries in the parish are subject to the following rules and regulations, as well as to any amendments and alterations as are adopted by the parish council.

(1) Burial permits shall be issued by the department of planning and zoning for the parish. The office of planning and zoning shall maintain records of all permits issued. The director or his designee shall assign numbered plots to each permit holder.

(2) The following requirements must be met before the department of planning and zoning may issue a permit for interment within one of the public cemeteries for Terrebonne Parish:

Provide a copy of the death certificate.

Provide the burial-transit permit from the vital records registry.

c. Provide permit information including:

Name of deceased
Date of death
Age
Next of kin
Name of funeral director
Date and hour of burial
Size of vault

d. With the exception of the reuse of family plots, the deceased must be a resident of Terrebonne Parish as provided on the death certificate.

e. Burial permit fee of ten (\$10.00) dollars.

(3) Permits for burial in public cemeteries shall only be issued as required for actual interment. There shall be no advance issuance of burial permits.

(4) The Terrebonne Parish Public Cemetery Appeal Board shall be created as follows:

Two (2) - members of the community selected from the council district encompassing Bisland Cemetery.

Two (2) - members selected from the council district encompassing Halfway Cemetery.

Two (2) - members selected from the council district encompassing Southdown Cemetery.

Two (2) - members appointed at large by the parish president.

One (1) - member appointed by the parish council.

All members shall be qualified voters and residents without compensation.

The parish cemetery appeal board shall convene and function only where there is a complaint, disagreement, or situation, which cannot be resolved with the application of these rules and regulations.

(5) The director of planning and zoning or his designee shall be responsible for the daily operation of the public cemeteries in the parish, and is authorized to enforce the rules, to

maintain order, to supervise all workmen, visitors and drivers, to expel from the grounds any improper person, or those who violate the rules, and to refuse admission to any persons or materials when necessary.

(6) Each burial within the public cemeteries of the parish is required to have a permanent marker on the grave which clearly identifies the plot number and which may identify the name of the deceased.

(7) With the exception of the reuse of family plots by permit, all new burials shall be restricted to those grave sites set out in the plat drafted by the parish government and released by permit of the department of planning and zoning.

(8) With the exception of pauper burials, a vault shall be required of all future burials.

(9) Access to Terrebonne Parish public cemeteries for any reason other than general plot maintenance, interments or visitation shall only be allowed with the consent of the department of planning and zoning.

(10) No person shall be permitted to enter the cemeteries except by the proper entrances.

(11) Any person on public cemetery grounds found performing irresponsible unauthorized acts or found in any way disturbing the quiet and good order of the cemetery shall be ordered to leave the cemetery.

(12) No dogs or pets will be permitted in the public cemeteries except as may be needed to assist a handicap person while visiting the cemetery.

(13) The parish government reserves the right to remove and discard flowers, memorials, and small plants when they have deteriorated.

(14) The care and maintenance of a plot and memorial is the duty and obligation of the heirs of the deceased.

(15) No persons, other than the duly authorized employees (representatives, i.e., contractors, trustees, garden clubs, etc.) of the parish government, shall be allowed to perform any work of any kind within the cemetery without written approval of the proposed plans and specifications covering said work having been submitted to the department of planning and zoning and such work shall not be undertaken until and unless it is authorized, in writing, by the department of planning and zoning.

(16) It is within the rights of the parish government to restrict the type and size of construction or burial memorial permitted on a particular plot or in a section of the cemetery.

(17) No signs, notices, or advertisements of any kind shall be placed within the cemetery, unless the same are placed by the parish government, or with its permission.

(18) The parish government will use every reasonable precaution to protect the memorials within the cemetery against loss or damage; but the parish government assumes no responsibility or liability, direct or indirect, for the loss or damage that might result to a grave from causes beyond its reasonable control, including, without limitation, such loss or damage as may be caused by the elements, decay, an act of God, common enemy, thieves, vandals, explosions, unavoidable accidents, or by any persons acting under an order of any military or civil authority.

(19) The parish government is not an insurer; nor will it be responsible for the loss, theft, or damage to any thing that may be placed on or in connection with a memorial, whether the same be so placed with or without the parish government's permission.

(20) Any funds received by the parish in connection with its public cemeteries shall be deposited into an account to be used exclusively for the purposes of operating and maintaining its cemeteries.

If anything contained in these rules and regulations should conflict with the provisions of R.S. Tit. Eight, or with the rules and regulations of the [State of] Louisiana Cemetery Board, the provisions of the statute or the rules and regulations of the cemetery board shall prevail, and any provisions of these rules and regulations that may be in conflict shall be considered as though not written.

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 signing by the Parish President or, if not signed by the Parish President, in accordance with Sections 2-12, 2-13 and 2-14 of the Terrebonne Parish Home Rule Charter.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 16th day of December, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

- F. A proposed ordinance concurring with the Planning Department’s recommendation to reduce the speed limit on Deroche Avenue to 15 mph

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

Mr. P. Lambert moved, seconded by Mr. A. Tillman, “THAT, the Council close the aforementioned public hearing.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. A. Tillman.

ORDINANCE NO. 7760

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 18, ARTICLE IV. OPERATION OF VEHICLES, DIVISION 2. PARISH, SECTION 18-91 (B) (1) TO ESTABLISH A “15 MPH SPEED LIMIT ZONE” ALONG THE ENTIRETY OF DEROCHE AVENUE (IN BOURG), AND TO AUTHORIZE THE INSTALLATION OF SAID SIGNS; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne Parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, to amend the parish Code of Terrebonne Parish, Chapter 18, Article IV, and appropriate Section to create a “ 15 mph Speed Limit” zone along the entirety of Deroche Avenue in Bourg as follows:

CHAPTER 18, Motor Vehicles and Traffic
ARTICLE IV, Operation of Vehicles
DIVISION II, Parish
SECTION 18-91 (b) (1), “15 MPH SPEED LIMIT”

The entirety of Deroche Avenue in Bourg shall be declared as a “15 mph Speed Limit” zone, and appropriate “15 mph Speed Limit” signs shall be erected and maintained along said roadway. Any vehicle traveling on Deroche Avenue shall adhere to the provisions of this ordinance.

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 16th day of December, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

- G. A proposed ordinance to amend the Parish Code to include regulations guiding the development of three (3) or more structures on one (1) lot of record (continued from 11/11/09 meeting)

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

Mr. K. Voisin moved, seconded by Mr. C. Voisin and 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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

No action was taken on the proposed ordinance amending the Parish Code to include regulations guiding the development of three (3) or more structures on one (1) lot of record due to the fact that a revised proposed ordinance was introduced in committee on Monday and a new public hearing called on 1/13/10.

The Chairwoman recognized the public for comments on the following:

- H. A proposed ordinance to 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, \$100,000.
- 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.

(Continued from 12/2/09 meeting.)

The Chairwoman recognized Parish President M. Claudet, who stressed the importance of funding the Public Works projects that are included in the proposed budget amendment. He gave a lengthy power point presentation regarding the selection of property for a proposed Government Complex in Gray, which is included in the proposed budget amendment.

Councilman B. Hebert expressed his concerns relative to two weeks prior to the Council being requested to approve the proposed property purchase from the owner, the owner had indicated that he planned to sue another property owner of an alternate site.

The Chairwoman recognized Mr. Lee Steele, Cheyenne Drive resident, who expressed his support for the proposed property purchase in Gray for a new Government Complex.

The Chairwoman recognized Mr. Matthew Armond, TEDA Board member, who expressed his support in purchasing the proposed property so that the cold storage project could be moved forward, because any delay could cause loss of momentum and the project cost could increase.

Chairwoman A. Williams relinquished the Chair to Vice-Chairman J. Pizzolatto.

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Councilwoman A. Williams stated she has been a proponent of the proposed property purchase in District 2 for a new Government Complex, but due to the recent flooding conditions that residents had to experience she has changed her position. She stated there is a drainage issue in the northern part of the Parish and residents have been affected twice this year with flooding due to the CCC ditch needing to be cleaned. She stated that the two subdivisions next to proposed developments are being considered for property purchases flooded yesterday. She asked when and where is the CCC ditch being cleaned and when and where are the blocks going to be cleared from the St. Louis Canal. She suggested that any type of development along the St. Louis Bayou or anything that connects to the CCC ditch be halted until both waterways are both cleaned. She suggested that the matter be referred back to committee.

Councilman C. Voisin expressed his concerns with spending millions of dollars to develop property for the Parish to be able to build on later when there was a hiring freeze placed on Parish Government. He stated that the sales tax record for November 2009 is \$2-½ million less than 2008. He also stated that the property being considered was under water during the

recent rain event. Mr. Voisin questioned other aspects of the property purchase being considered for the Parish to purchase for a new Government Complex.

A lengthy discussion ensued relative to the property being considered by Administration for a new Government Complex when there are severe drainage issues that need to be addressed in the Parish.

Ms. T. Cavalier moved, seconded by Mr. K. Voisin, "THAT, the Council adopt the proposed ordinance amending 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, \$100,000.
- 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."

***(SUBSTITUTE MOTION OFFERED AFTER DISCUSSION)**

A further discussion ensued relative to the proposed property purchase in Gray for the new Government Complex.

Ms. A. Williams offered a substitute motion, seconded by Mr. A. Tillman, "THAT, the Council refer back to committee the proposed ordinance that will amend the 2009 Budgets that includes the proposed property purchase for a new Government Complex in Gray and that Administration provide a drainage study by 1/11/10 regarding Linda Ann St., the CCC ditch, and St. Louis Canal."

The Vice-Chairman called for a vote on the motion offered by Ms. A. Williams.
 UPON ROLL CALL THERE WAS RECORDED:
 YEAS: C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, and B. Hebert
 NAYS: K. Voisin, T. Cavalier, and J. Pizzolatto
 ABSENT: None
 The Vice-Chairman declared the motion adopted.

Chairwoman A. Williams resumed the Chair.

Mr. A. Tillman 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. A. Tillman.
 UPON ROLL CALL THERE WAS RECORDED:
 YEAS: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert,
 T. Cavalier, and J. Pizzolatto
 NAYS: None
 ABSENT: None
 The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Budget & Finance Committee meeting held on 12/14/09, whereupon the Committee Chairman, noting that ratification of the minutes calls a public hearing on 1/13/10, rendered the following:

BUDGET & FINANCE COMMITTEE

DECEMBER 14, 2009

The Chairman, Billy Hebert, called the Budget & Finance Committee meeting to order at 8:37 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by J. Pizzolatto and the Pledge of Allegiance led by C. Voisin. Upon roll call, Committee Members recorded as present were: T. Cavalier, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, and K. Voisin. Committee Member J. Cehan entered the proceedings at 8:39 p.m. and Committee Member A. Williams (attending a function at the White House with President Barack Obama) was recorded as absent. A quorum was declared present.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-664

WHEREAS, on bids were received on October 23, 2008 for Bid #08-UTL-35 Annual Utilities Maintenance Contract, and

WHEREAS, the bid G & W Construction, Inc. was accepted as the lowest qualified bid, and

WHEREAS, the G & W Construction, Inc. prices were only good until December 31, 2009, with the option to extend their prices for an additional twelve (12) months, and

WHEREAS, G & W Construction, Inc. has offered to extend their current prices until December 31, 2010, and

WHEREAS, Parish Administration wishes to extend the prices of G & W Construction, Inc. until December 31, 2010, and

WHEREAS, both parties have mutually agreed to extend the current bid of Bid #08-UTL-35 Annual Utilities Maintenance Contract at the same unit price for an additional twelve (12) months.

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 be extended for an additional twelve (12) months at the same unit price as per attached forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: J. Cehan and A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

Mr. K. Voisin moved, seconded by Mr. C. Voisin, "THAT, the Public Services Committee introduce an ordinance to amend the Parish Code of Terrebonne Parish, Chapter 2, Administration: Article V, Policies and Procedures; Section 2-107 to amend policies pertaining to payments to outside vendors for goods and services; and call a public hearing on said matter on January 13, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: J. Cehan and A. Williams.

The Chairman declared the motion adopted.

Committee Member J. Cehan entered the proceedings at this time.

Planning & Zoning Director Patrick Gordon presented a brief presentation on the Ready Communities Project; noted that Terrebonne Parish was selected as the 12th community out of 25 communities to participate in the pilot program; and encouraged citizens to participate in the survey by logging on to www.terrebonneready.org and completing the survey. He noted that the survey would be used as a tool to assess Terrebonne Parish's strengths/weaknesses and to explore strategies to bring additional businesses to the parish. In response to questioning, Mr. Gordon noted that printed surveys are also available and may be submitted to the Council Clerk or the Community Problem Solver. (NO ACTION TAKEN)

Mr. C. Voisin 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. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted and the meeting was adjourned at 8:41 p.m.

Billy Hebert, Chairman

Suzette Thomas, Minute Clerk

Mr. B. Hebert moved, seconded by Mr. K. Voisin, "THAT, the Council accept and ratify the minutes of the Budget & Finance Committee meeting held on 12/14/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: J. Pizzolatto

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Policy, Procedure, & Legal Committee meeting held on 12/14/09, whereupon the Committee Chairman rendered the following:

POLICY, PROCEDURE, & LEGAL COMMITTEE

DECEMBER 14, 2009

The Chairman, Clayton J. Voisin, called the Policy, Procedure, & Legal Committee meeting to order at 8:44 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by K. Voisin 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, and K. Voisin. Committee Member A. Williams (attending function at the White House with President Barack Obama) was recorded as absent. A quorum was declared present.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Policy, Procedure, & Legal Committee co-sponsor the Annual Christmas Parade on Thursday, December 17, 2009 at 6:00 p.m., previously adopted for December 4, 2009, but was canceled due to inclement weather."

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, and K. Voisin.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman suggested that the annual Christmas Parade be scheduled for the first Sunday in December of every year and noted that there have been several times over recent years that the parade has been canceled due to inclement weather. He added that the change would provide better enjoyment for children and would commence early in the day for better visibility. Mr. Voisin also noted that should inclement weather occur the parade, could be moved to another Sunday.

Several Committee members suggested that consideration be given to conducting the parade on Saturday as opposed to Sunday.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-665

WHEREAS, for over two decades, the annual Christmas parade has been a time of joy and excitement for literally thousands of young people and for people who are young at heart, and

WHEREAS, the parade and program after the parade have always been eagerly anticipated by the children of this parish and have always been well attended, and

WHEREAS, due to the time of year, weather conditions have always been a serious consideration for parents who wish to take their children to the event, yet do not wish them be exposed to extreme cold or rainy conditions, and

WHEREAS, to help lessen the possibility of extreme cold temperatures, it has been suggested to the Council that the parade be held on a Saturday afternoon, which should allow sunny skies to help warm possible nippy temperatures.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Policy, Procedure & Legal Committee), on behalf of the Terrebonne Parish Consolidated Government, that the date set aside for the annual Christmas Parade and Program be the first Saturday afternoon in December and that if that date is not available, the second Saturday afternoon in December serve as the alternate date.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: A. Williams.

The Chairman declared the resolution adopted on this, the 14th day of December, 2009.

* * * * *

Council Clerk Paul Labat noted that there are several businesses that are open in the downtown area on Saturdays and may force the businesses to close due to the parade. He added that several of the businesses rely on "on street parking".

Committee Member K. Voisin suggested that an "outreach" effort be considered to inform businesses in the downtown area.

The Chairman suggested that the parade commence around 4:30 p.m. or 5:00 p.m. in the evening.

Mr. B. Hebert moved, seconded by Mr. K. Voisin, “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. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 8:50 p.m.

Clayton J. Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. C. Voisin, seconded by Mr. P. Lambert, “THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 12/14/09.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: J. Pizzolatto

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. C. Voisin, “THAT, the Council approve the following street light list:

INSTALL TWO (2) 100-WATT HPS STREET LIGHTS **AND** POLES ON KEELY ANN DRIVE ADJACENT TO 389 KEELY ANN DRIVE AND AT THE BEGINNING OF SAID DRIVE (CONTACT PERSON: CAROLYN ALFORD – 804-1865); URBAN SERVICE DISTRICT; TPCG UTILITIES; CLAYTON VOISIN

INSTALL ONE (1) 100-WATT HPS STREET LIGHT AND POLE ON HARVEST DRIVE BETWEEN POLK STREET AND MEANDERING WAY (CONTACT MICHELLE TERREBONNE WITH THE UTILITIES DEPARTMENT FOR MORE INFORMATION); URBAN SERVICE DISTRICT; TPCG UTILITIES; KEVIN VOISIN

INSTALL ONE (1) 100-WATT HPS STREET LIGHT **AND POLE** ON THE INSIDE CURVE OF CAMILLE STREET (JEFF EVANS, 226-3211); URBAN SERVICES DISTRICT ROAD LIGHTING; TPCG UTILITIES; KEVIN VOISIN.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: J. Pizzolatto

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. A. Tillman, “THAT, the Council re-appoint Captain Marsha Russell to another term on the Terrebonne Parish Communications District Board and that nominations remain open for the expiring term of Mr. Ken Pitre.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council hold nominations open for the vacancy for the position of alternate member 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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council hold 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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. A. Tillman and Mr. J. Pizzolatto, "THAT, the Council hold nominations open for the one vacancy on the Houma Municipal Fire and Police Civil Service Board, nominated by Nicholls State University President."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. C. Voisin, "THAT, the Council appoint Ms. Susan Shaffer to the Houma Area Convention and Visitors Bureau, nominated by the Regional Military Museum Foundation to fill the remainder of the term of Ms. Jackie Cenac."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Ms. Susan Shaffer, who thanked the Council for the appointment.

Mr. J. Pizzolatto moved, seconded by Mr. P. Lambert, "THAT, the Council re-appoint Ms. Sharon Bergeron to another term on the Houma-Terrebonne Public Trust Finance Authority."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. J. Cehan, "THAT, the Council hold nominations open for the expiring term of Mr. Larry Babin on the Bayou Blue Fire Protection Board, who does not wish to be re-appointed, on 1/31/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. B. Hebert moved, seconded by Mr. K. Voisin, "THAT, the Council re-appoint Mr. Tony Indovina, Mr. David Hash, and Mr. Bobby Cockerham to another term on the Bayou Cane Fire District Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. J. Cehan, "THAT, the Council hold nominations open for the expiring terms of Mr. Robert Parr, Mr. Jimmy Rogers, and Mr. Wayne Gautreaux on 1/1/10 of the Coteau 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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. A. Tillman, "THAT, the Council re-appoint Mr. Louis Pitre, Mr. Evest Voisin, Jr. and Mr. Cyril A. "Kirby" Verret to another term on the Fire Protection District No. 4A Board and that Mr. Roland Aucoin be appointed to the position held by the late Donald Bourg."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. J. Cehan, "THAT, the Council hold nominations open for the expiring terms of Mr. Gerald Arceneaux, Mr. Kurt Charpentier, and Mr. Jan Rogers on 1/31/10 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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. J. Cehan, "THAT, the Council hold nominations open for the expiring terms of Mr. Russell Hebert and Mr. A. J. Cavalier on 1/31/10 on the Fire Protection District No. 6 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. K. Voisin, "THAT, the Council hold nominations open for the expiring terms of Mr. Carroll LeBouef, Mr. Cecil Lapeyrouse, and Mr. Reiley LeBouef on 1/31/10 on the Fire Protection District No. 7 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The next item was inadvertently taken out of order, therefore agenda item 5B9 was handled prior to item 5B8.

Mr. A. Tillman moved, seconded by Mr. C. Voisin, "THAT, the Council re-appoint Mr. Melvin Malbrough and Ms. Shirley Liner to another term on the Fire Protection District No. 10 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. A. Tillman, "THAT, the Council hold nominations open for the expiring terms of Mr. Riley Gros, Mr. Lynn Giroir, and Mr. Mickey Adams on the Fire Protection District No. 9 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. P. Lambert, "THAT, the Council re-appoint Mr. Brian LeBlanc to another term on the Recreation District No. 7 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. K. Voisin, "THAT, the Council re-appoint Ms. Peggy Pitre and Mr. Jeffery Hill to another term on the Schriever 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: K. Voisin, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams, B. Hebert, T. Cavalier, and J. Pizzolatto

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Pizzolatto, "THAT, the Council re-appoint Mr. Tony Martin, Mr. John Roy, and Mr. Kenneth Colwart to another term on the Village East Fire Protection District Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Ms. T. Cavalier, "THAT, the Council re-appoint Mr. Clarence Williams to another term on the Houma Area Convention and Visitors' Bureau."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

There were no matters to address under agenda item 6A – Council Members.

Councilman K. Voisin announced the Civic Center's 10-year Anniversary celebration to be held on Friday, 12/18/09 and also honoring the 25th Anniversary of TPCG from 4:00 to 8:00 p.m. at the Civic Center and urged citizens to turn out for the events that will take place and are free to the public.

Councilman P. Lambert announced the Montegut Christmas Boat parade at 6:00 p.m. in Bayou Terrebonne on Saturday, 12/19/09.

Councilman J. Cehan wished everyone a Merry Christmas and safe and Happy New Year.

Councilman B. Hebert announced that the annual Terrebonne Parish Christmas Parade in downtown Houma that was rescheduled to Thursday, 12/17/09, has been cancelled again due to the anticipated rain.

There were no matters announced under agenda item 8B – Parish President announcements.

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

The Chairwoman recognized Mr. Mike Ferdinand, CEO for TEDA, who expressed his appreciation for the opportunity to work with Administration and Council on the Development Ready Pilot Program. He stated that currently citizen participation is being requested in a survey, which can be found at www.terrebonneready.org as well as hard copies available throughout Parish Government and TEDA offices.

There were no status reports given by Parish President M. Claudet under agenda item 8C – Parish President.

Agenda item 8D – Executive Session to discuss the following lawsuits - was cancelled for this meeting:

"Lisa Bergeron versus Terrebonne Parish Consolidated Government, through Houma Police Department, and Patrick Boudreaux, Individually and in his Official Capacity (Civil Action No. 08-4426)";

"Donna Wedgeworth versus Terrebonne Parish Consolidated Government, through Houma Police Department, and Patrick Boudreaux, Individually and in his Official Capacity (Civil Action No. 08-4428)";

"Christina Farmer versus Terrebonne Parish Consolidated Government, through Houma Police Department, and Patrick Boudreaux, Individually and in his Official Capacity (Civil Action No. 08-4437)";

and,
"Marsha Russell versus Terrebonne Parish Consolidated Government, through Houma Police Department, and Patrick Boudreaux, Individually and in his Official Capacity (Civil Action No. 08-4438)".

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted and the meeting adjourned at 9:54 p.m.

VENITA H. CHAUVIN, MINUTE CLERK

ATTEST:

/S/ARLANDA J. WILLIAMS
ARLANDA J. WILLIAMS, CHAIRWOMAN
TERREBONNE PARISHCOUNCIL

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