

**PROCEEDINGS**  
**OF THE**  
**TERREBONNE PARISH COUNCIL**  
**IN REGULAR SESSION**  
**MAY 26, 2010**

The Chairwoman, Ms. A. Williams, called the meeting to order at 6:03 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, led by Councilman A. Tillman, Parish President M. Claudet led the Pledge of Allegiance.

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

Mr. A. Tillman moved, seconded by Mr. B. Hebert, "THAT, the Council approve the minutes of the Regular Council Session held on 4/28/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council approve the Parish Bill Lists dated 5/17/10 and 5/24/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council approve the Parish Manual Check List for April 2010."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED: Unanimously.

RESOLUTION NO. 10-236

WHEREAS, each year, fourteen hundred high school students from all fifty states and two countries participate in the International Science and Engineering Fair held at various locations, and,

WHEREAS, Terrebonne Parish School District is fortunate in being able to send students directly to this well known and respected science exposition, and,

WHEREAS, Mr. Cole Bergeron, a freshman student from Houma Junior High School, with the support of his parents and the encouragements of his science teacher, Ms. Anne Barrios, submitted an ambitious project titled “Coal from Cane”, and,

WHEREAS, Mr. Bergeron’s project impressed judges at every level and was distinguished from the hundreds of applicants from around the world, as “Coal from Cane” was ranked overall third place in the fair, and

WHEREAS, the high recognition is not only a reflection of the brilliant mind of Mr. Bergeron, but also credits the Terrebonne Parish School System and the entire Bergeron Family.

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 achievements of Mr. Cole Bergeron be hereby publically acknowledged and that he be congratulated for achieving third place ranking in the International Science and Engineering Fair held recently in San Jose, California.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 26<sup>th</sup> day of May, 2010.

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The Chairwoman recognized Mr. Cole Bergeron, who thanked the Council and Parish President for the commendation and explained his project “Coal from Cane” and stressed how excited and proud he was to be recognized for his work.

OFFERED BY: Mr. B. Hebert.

SECONDED: Unanimously.

RESOLUTION NO. 10-236A

WHEREAS, the safety and protection of the citizens of Terrebonne Parish are of utmost concern to the elected officials and employees of the Terrebonne Parish Consolidated Government, and

WHEREAS, although swimming pools provide great recreational and health-related benefits to the owners and users of the pools, they also possess a threat to users, especially young children who may not be aware of the dangers involved with the pool, and

WHEREAS, in the latter part of 2007, two year-old Hayden Paul Davenport entered an unattended swimming pool and became another statistic in the tragic list of infant drowning victims throughout this country, and

WHEREAS, the need for a greater awareness of swimming pool safety is of paramount importance to all people and businesses who own a swimming pool of any size, and

WHEREAS, in an effort to prevent any future fatalities, the Parish Council and the Parish President have initiated a wide-spread swimming pool safety awareness program in the Houma-Terrebonne community so that all people may know that certain preventative action can and should be taken to avert future infant drowning, and

WHEREAS, the Council has called upon all local law enforcement agencies, all fire and recreation district boards, local insurance companies and, most importantly, the citizens of this

parish to become more aware of swimming pool safety precautions which serve to prevent any swimming pool-related incidents, and

WHEREAS, in an effort to make this safety awareness program an note-worthy event, the Council named the program in memory of young Hayden Paul Davenport.

NOW, THEREFORE BE IT PROCLAIMED by the Terrebonne Parish Council, on behalf of Parish President Michel H. Claudet and the entire Terrebonne Parish Consolidated Government, that June of 2010 be noted as having been declared "Hayden's Swimming Pool Safety Awareness Month in Houma-Terrebonne" and in doing so, urges all community members to support and become more aware of safety measures in dealing with swimming pools of any size, and requests that all public agencies provide information to their memberships so that they may be ever conscious of the threat posed by improper swimming pool use and that the annual memorial program in the Court Square be co-sponsored by this government.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 26<sup>th</sup> day of May, 2010.

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The Chairwoman recognized Hayden Davenport's Mother, Stephanie Thibodaux, who thanked the Council and Parish President for the proclamation, stated that she and her family decided to turn Hayden's death into an educational experience for the community on the safety procedures that should be taken on owning a swimming pool or any type of body of water that a child could drown in. She stated that on the last Sunday in June, a candlelight vigil will be held in the Court Square to remember all children who have drowned.

Mr. C. Voisin moved, seconded by Mr. P. Lambert, "THAT, the Council deviate from the regular order of business to allow representatives of British Petroleum (B.P.) and the U.S. Coast Guard to give a report on the Deep Water Horizon oil spill in the Gulf and where Terrebonne Parish stands as it relate to it."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Captain Roger Laferriere, Incident Commander with the U.S. Coast Guard, who stated it is one of his primary goals to work closely with all the parishes that have been affected by the oil spill.

The Chairwoman recognized Mr. Albert Ledet, B.P. Facility Manager in Schriever, who stated that as of today, Terrebonne Parish has hard boom deployed at 62,000 feet, hard boom staged is 49,000 feet and starboard boom stage is 5,000 feet. He stated boom deployed today was 6,000 feet out of Cocodrie and currently with 500 people working there and 260 bales of zorbent booms are ready to go with more at the McDermott yard staging area that can be deployed. He stated there are reports of oil along Last Island from varying spots from Racoon Point to Wine Island. There is also heavy oil in Lake Raccacee that is currently being skimmed. There were nine skimmers deployed today in the Terrebonne Parish estuaries and Last Island is being actively cleaned. Upon questioning by Councilman C. Voisin, Mr. Ledet stated efforts are being increased in Terrebonne Parish and other areas to enhance abilities to clean beach, as well as respond to oil on the water. Tasks Forces are being sent from Vessel of Opportunity to the Cocodrie/Fourchon area. Resources are being added daily. He explained what methods are

being taken to attack the oil offshore at the source to limit the amount that comes in the waves that head in towards the shoreline. He stated that Terrebonne Parish's Emergency Preparedness Department will have a representative in the tactical meetings held in Cocodrie every morning.

Parish President M. Claudet expressed appreciation for B.P. placing someone who can respond quicker in Cocodrie. He stated that Administration has suggested many times that shrimp boats be placed around the barrier islands to spot oil as it comes in. He also requested consideration in putting local contractors to work first and that training sessions be conducted in Terrebonne Parish for the cleanup.

Upon questioning by Councilman C. Voisin, Captain Roger Laferriere said that based on discussion with B.P., they are willing participants in the cleanup and the Coast Guard will make sure they continue to service Terrebonne Parish to protect the environment and health and safety of the residents.

B. P. Facility Manager Albert Ledet stated that an operation has begun in Pointe-aux-Chenes B. P. has begun working with the two tribes to protect their sacred lands. Upon questioning by Councilman P. Lambert, he stated that he will make sure each marina has the 1-800 number to call when a boat pulls up and reports oil. He stated he will make a request to have someone staged at marinas.

Upon questioning by Councilman B. Hebert, BP Government Affairs Director Jason French explained that at approximately 1:00 p.m. today Central Time, injection of the mud into the well actually began and will take approximately twenty-four to forty-eight hours to determine if it is working. He stated that there are a number of strategies being considered if this process doesn't work and explained some. He stated that the same disbursement is being used, but EPA has asked for other options be reviewed for consideration.

U. S. Coast Guard Captain Roger Laferriere stated that a process called Alternative Response Technology Evaluation System (ARTES) has been set up and products are being submitted to this group for evaluation. He stated that a skimming system has just been approved from Denmark, which has high skimming capacity, that will be sent over to assist.

A lengthy discussion ensued relative to what steps are being taken in Terrebonne Parish to address the protection of any of the oil that is coming towards the shoreline and what is being done to clean up any of the oil that may have or will make it through the barriers being put in place. The discussion included whether Terrebonne Parish should take measures to protect itself.

Mr. C. Voisin moved, seconded by Mr. A. Tillman and Mr. J. Cehan, "THAT, it now being 7:00 p.m., the Council open public hearings at this time."

The Chairwoman called for a vote on the motion offered by  
UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- A. A proposed ordinance to amend the Parish Code relative to the implementation of an adjustment in the Sewer User Charge Rates, and Septage Collection, Transportation and Disposal Charge

The Chairwoman recognized Mr. Mickey Fonseca, Magnolia Street resident, who expressed his opposition to the proposed sewer use charge rate increase because of the affect it will have on individuals with disabilities and there is a better way to fund it.

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

Mr. C. Voisin 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. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. K. Voisin.

#### ORDINANCE NO. 7822

AN ORDINANCE TO AMEND SECTION 23-31(d) RELATIVE TO SEWER USER CHARGES AND SECTION 23-32(e) and 23-32(g), RELATIVE TO SEPTAGE COLLECTION, TRANSPORTATION AND DISPOSAL, OF THE PARISH CODE OF TERREBONNE PARISH, LOUISIANA.

#### SECTION I

BE IT ORDAINED, that Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, hereby amends Section 23-31(d), of the Parish Code of Terrebonne Parish, Louisiana, relative to Sewer User Charges, as follows:

#### Section 23-31. User Charges

##### (d) Fixed Charges

From the effective date of the Ordinance through December 31, 2010, the fixed charge for each customer, other than a hotel or motel, shall be seven dollars (\$7.00) per month. In addition, each customer shall pay a user charge of one dollar and seventy-six cents (\$1.76) per one thousand (1,000) gallons of water used, plus an Energy Adjustment Charge, for the operation, maintenance and replacement of the system. For this section, each occupied apartment and trailer space shall be considered a separate customer and subject to the imposition of the monthly fixed charge.

The fixed charge for hotels and motel shall be three dollars (\$3.00) per month, per room, whether occupied or not. In addition, each hotel or motel shall pay a user charge of one dollar and seventy-six cents (\$1.76) per one thousand (1,000) gallons of water used, plus an Energy Adjustment Charge, for the operation, maintenance and replacement of the system.

The Energy Adjustment charge shall be calculated each month by means of the "Moving Average Method" using the cost of all electrical energy consumed during a three month period prior to the current billing period and the total water sales during the same period. The charge thus determined shall be expressed as a four decimal number per one thousand (1,000) gallons of water sold.

BE IT FURTHER ORDAINED that the sewer user charge shall automatically be adjusted on January 1 of each year through the year 2014 in accordance with the following schedule:

January 1, 2011	Fixed Charge + \$1.82/1,000 gallons + Energy Adjustment Charge
January 1, 2012	Fixed Charge + \$2.18/1,000 gallons + Energy Adjustment Charge
January 1, 2013	Fixed Charge + \$2.23/1,000 gallons + Energy Adjustment Charge
January 1, 2014	Fixed Charge + \$2.28/1,000 gallons + Energy Adjustment Charge

#### SECTION II

BE IT ORDAINED, that Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, hereby amends Section 23-32(e) and 23-32(g) of the Parish Code of Terrebonne Parish, Louisiana, relative to Septage Collection, Transportation and Disposal, as follows:

Secton 23-32. Septage Collection, Transportation and Disposal

(e) A septage hauler manifest system is hereby established to comply with requirements of LAC 33:1x2313. Each permitted waste hauler shall complete a sewage sludge manifest form for each load picked up. A copy of the completed, signed and dated manifest form shall be submitted to the wastewater operator, upon discharge of wastes into the treatment system. A form will be provided with issuance of approved permit.

(g) The licensee will be billed for services monthly at a rate of three (0.03) cents per gallon of septage and shall be billed at the load rated capacity of the vehicle for each load of septage hauled to and disposed at the Parish's authorized disposal facility

SECTION III

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

SECTION IV

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

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

THERE WAS RECORDED:

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

NAYS: T. Cavalier.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

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The Chairwoman recognized the public for comments on the following:

B. A proposed ordinance which would approve the issuance of not exceeding \$15 million of Sewer Revenue Bonds, and provide for other matters relative thereto

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The following ordinance, having been introduced at a duly convened meeting on April 14, 2010, notice of its introduction having been published on April 16, 2010, and a public hearing having been held on May 26, 2010, was offered for final adoption by Mr. Alvin Tillman and seconded by Mr. Johnny Pizzolatto and Mr. Kevin Voisin:

ORDINANCE NO. 7823

An ordinance authorizing the issuance of Fifteen Million Dollars (\$15,000,000) of Sewer Revenue Bonds, Series 2010, of the Parish of Terrebonne, State of Louisiana (the "Bonds"); prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of the Bonds; providing for the payment thereof in principal and interest; providing for the sale of the Bonds to the Louisiana Department of Environmental Quality; and providing for other matters in connection therewith.

WHEREAS, the United States of America, pursuant to the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code (the "Federal Act"), is authorized to make capitalization grants to states to be used for the purpose of establishing a water pollution control revolving fund for providing assistance (i) for construction of treatment works (as defined in Section 1292 of the Federal Act) which are publicly owned, (ii) for implementing a management program under Section 1329 of the Federal Act and (iii) for developing and implementing a conservation and management plan under Section 1330 of the Federal Act; and

WHEREAS, in order to be eligible to receive such capitalization grants, a state must establish a water pollution control revolving loan fund to be administered by an instrumentality of the state with such powers and limitations as may be required to operate such fund in accordance with the requirements and objectives of the Federal Act; and

WHEREAS, the State of Louisiana (the "State"), pursuant to Chapter 4, Subchapter II of Title 30 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 30:2078, *et seq.* (the "State Act"), has established a Municipal Facilities Revolving Loan Fund in the custody of the Louisiana Department of Environmental Quality (the "State Revolving Fund") to be used for the purpose of providing financial assistance for the improvement of wastewater treatment facilities in the State, as more fully described in Section 2078(B)(2) of the State Act, and has authorized said Department (the "Department") to administer the State Revolving Fund in accordance with applicable federal and state law; and

WHEREAS, the Parish of Terrebonne, State of Louisiana (the "Issuer"), has made application to the Department for a loan from the State Revolving Fund for the purpose of paying the cost of constructing and acquiring additions, extensions and improvements to the sewage collection and disposal system of the Issuer (the "System"), a work of public improvement for the Issuer (the "Project"); and

WHEREAS, pursuant to the authority of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, this Governing Authority by resolution adopted on December 14, 2009, gave notice of its intention to issue Sewer Revenue Bonds of the Issuer in an amount not exceeding Fifteen Million Dollars (\$15,000,000) without the necessity of holding an election thereon, held a public hearing thereon on February 24, 2010, and no objections were made to the issuance of such Bonds and no petitions were filed requesting an election thereon; and

WHEREAS, in accordance with Section 1383(g) of the Federal Act, the Department has established a priority list under Section 1296 of the Federal Act, and the Project is on such list; and

WHEREAS, the Department has approved the Issuer's application for a loan from the State Revolving Fund to finance the Project; and

WHEREAS, the Issuer presently has no outstanding bonded indebtedness payable from a pledge and dedication of the income and revenues of the System; and

WHEREAS, Section 1531 of Title I of Division B of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009) (enacted February 17, 2009) (“ARRA”), added §54AA to the Internal Revenue Code of 1986, as amended, authorizing state and local governments, at their option, to issue two (2) general types of “Build America Bonds” as taxable governmental bonds with federal subsidies for a portion of their borrowing costs; and

WHEREAS, for the reasons stated above and to designate the Bonds authorized herein as “Build America Bonds (Direct Payment)”, pursuant to ARRA and to obtain other benefits associated with ARRA, this Governing Authority has determined to adopt this Bond Ordinance to provide for the issuance of the Bonds herein authorized.

NOW, THEREFORE, BE IT ordained by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana, acting as the governing authority of the Issuer,, that:

#### ARTICLE I DEFINITIONS AND INTERPRETATION

§ a) Definitions. The following terms used in this Ordinance shall have the following meanings, unless the context clearly requires otherwise:

“*Act*” means Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, including Chapter 4, Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, as amended, specifically R.S. 30:2078 *et. seq.*

“*Administrative Fee*” means the annual fee equal to one-half of one percent (0.5%) *per annum* of the outstanding principal amount of the Bonds, or such lesser amount as the Department may approve from time to time, which shall be payable each year in two equal semi-annual installments on each Interest Payment Date.

“*Bond*” or “*Bonds*” means the Issuer=s Sewer Revenue Bonds, Series 2010, authorized by this Ordinance, in the total aggregate principal amount of Fifteen Million Dollars (\$15,000,000).

“*Bond Register*” means the records kept by the Registrar (initially the Clerk of the Governing Authority) in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

“*Bond Year*” means the one-year period ending on each Principal Payment Date.

“*Code*” means the Internal Revenue Code of 1986, as the same may be amended and supplemented from time to time, including any regulations promulgated thereunder or any administrative or judicial interpretations thereof.

“*Completion Date*” means the earlier of (i) the date of the final disbursement of the purchase price of the Bonds to the Issuer, or (ii) the date the operation of the Project is initiated or capable of being initiated, as certified by an Authorized Officer in accordance with the Loan Agreement.

“*Consulting Engineer*” means a regionally known consulting utility engineer or firm of consulting utility engineers with skill and experience in the construction and operation of publicly- owned utilities properties.

“*Costs of the Project*” means, with reference to the Project, all capital costs incurred or to be incurred for the Project, including but not limited to (a) engineering, financing, legal and

other fees and expenses related to the issuance of the Bonds, (b) acquisition and construction costs of the Project, (c) interest on the Bonds during construction, if specifically approved by the Department, and (d) a reasonable allowance for contingencies, all to the extent permitted by the Federal Act, the State Act and any rules or regulations promulgated thereunder.

*"Defeasance Obligations"* means cash and/or Government Securities.

*"Delivery Date"* means the date on which the Bonds are delivered to the Department and the first installment of the purchase price therefor is paid by the Department to the Issuer.

*"Department"* means the Louisiana Department of Environmental Quality, an executive department and agency of the State, and any successor to the duties and functions thereof.

*"Executive Officers"* means, collectively, the Parish President and the Clerk to the Terrebonne Parish Council.

*"Federal Act"* means the Clean Water Act of 1972, as amended by the Water Quality Act of 1987, specifically Subchapter VI, Chapter 26 of Title 33 of the United States Code, and other statutory and regulatory authority amendatory or supplemental thereto.

*"Fiscal Year"* means the Issuer=s one-year accounting period beginning on January 1 of each year or any other annual accounting period as may be determined by the Governing Authority as the fiscal year of the Issuer.

*"Governing Authority"* means the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana. or its successor in function.

*"Government Securities"* means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, which are non-callable prior to their maturity, may be United States Treasury Obligations such as the State and Local Government Series and may be in book-entry form.

*"Interest Payment Date"* means January 1 and July 1 on each year in which interest on the Bonds is payable, the first of which shall occur after the delivery of the Bonds to the Department and which shall occur semi-annually thereafter until the Bonds are paid in full.

*"Issuer"* means the Parish of Terrebonne, State of Louisiana.

*"Loan Agreement"* means the Loan and Pledge Agreement to be entered into by and between the Department and the Issuer prior to the delivery of the Bonds which will contain certain additional agreements relating to the Bonds and the Project, which Loan Agreement shall be in substantially the form attached as Exhibit B to this Ordinance.

*"Net Revenues"* means the income and revenues derived or to be derived by the Issuer from the operation of the System, after provision has been made for payment therefrom of the reasonable and necessary expenses of operating and maintaining the System.

*"Ordinance"* means this Ordinance authorizing the issuance of the Bonds, as hereafter amended or supplemented.

*"Outstanding"* when used with respect to the Bonds, as of the date of determination, means all Bonds theretofore issued and delivered under the Ordinance except:

- (a) Bonds that have been cancelled or delivered to the Registrar for cancellation;
- (b) Bonds that have been defeased in accordance Section 11.01 hereof;

- (c) Bonds in exchange for or *in lieu* of which other Bonds have been registered and delivered pursuant to the Ordinance; or
- (d) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in the Ordinance or by law.

"*Owner*" or "*Owners*" when used with respect to any Bond, means the Person in whose name such Bond is registered in the Bond Register.

"*Parity Obligations*" means any additional *pari passu* indebtedness issued by the Issuer and payable from the Net Revenues on a parity with the Bonds.

"*Person*" means any individual, corporation, partnership, joint venture, association, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

"*Principal Payment Date*" means each annual payment date of principal of the Bond (January 1), with the first payment date to be not later than one year after the completion of the Project and the final payment date to fall not exceeding nineteen years from the first principal payment date thereafter for a total of twenty (20) consecutive annual payment dates, providing that in no event shall the final maturity of the Bonds be more than twenty-two (22) years from the Delivery Date.

"*Project*" means the acquisition and construction of additions, extensions and improvements to the System, including appurtenant equipment, accessories and properties, both personal and real, being financed by the sale of the Bonds to the Department.

"*Registrar*" means the person designated in this Ordinance, unless and until a successor Registrar shall have assumed such responsibilities pursuant to this Ordinance, and thereafter "Registrar" shall mean such successor Registrar.

"*Reserve Fund Requirement*" means, as of any date of calculation, a sum equal to the lesser of (i) 10% of the proceeds of the Bonds and any issue of Parity Bonds or (ii) one-half of the highest combined principal and interest requirements for any succeeding Bond Year on the Bonds and any Parity Bonds hereafter issued in the manner provided by 5.1 hereof

"*Revenues*" means all income and revenues to be derived by the Issuer from the operation of the System, including earnings on investments in the funds and accounts described in Section 5.01 hereof, but not including any insurance or condemnation proceeds, or proceeds from the sale or other disposition of any part of the System.

"*Scheduled Completion Date*" is the date designated as such in the Loan Agreement, regardless of whether or not such date precedes or follows the actual Completion Date.

"*State*" means the State of Louisiana.

"*System*" means the revenue producing sewage collection and disposal system of the Issuer, as said system now exists and as it may be hereafter improved, extended or supplemented while any of the Bonds herein authorized remain outstanding, including specifically all properties of every nature owned, leased or operated by the Issuer and used or useful in the operation of said revenue producing utility, and including real estate, personal and intangible properties, contracts, franchises, leases and choses in action, whether lying within or without the boundaries of the Issuer.

"*User Fees*" means charges or fees levied on users of the System for the cost of operation, maintenance and replacement of the System, for the repayment of debt incurred with

respect to the System and for such other purposes as may be determined by the Governing Authority from time to time.

§ b) Rules of Interpretation. (a) Unless the context clearly indicates to the contrary, the following rules shall apply to the interpretation and construction of this Ordinance:

- (1) words importing the singular number shall include the plural number and *vice versa*;
  - (2) all references to particular articles or sections herein are references to articles or sections of this Ordinance;
  - (3) the captions and headings herein are solely for convenience of reference and shall not constitute a part of this Ordinance, nor shall they affect its meaning, construction or effect;
  - (4) the terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms as used in this Ordinance refer to the Ordinance in its entirety and not the particular article or section of this Ordinance in which they appear; and
  - (5) the term “hereafter” means after the date of execution of this Ordinance and the term “heretofore” means before the date of the execution of this Ordinance.
- ii) In the event that any provisions of this Ordinance conflict with any provision of the Loan Agreement , then in the event that the Department owns any of the Bonds the provisions of the Loan Agreement shall control.

## ARTICLE II AUTHORIZATION, ISSUANCE AND SALE OF BONDS

§ 2.1. Authorization and Issuance of Bonds. This Ordinance creates a series of Bonds of the Issuer to be designated "Sewer Revenue Bonds, Series 2010, of the Parish of Terrebonne, State of Louisiana," and provides for the full and final payment of the principal or prepayment price of and interest thereof. The Bonds shall be issued for the purpose of paying the cost of constructing and acquiring additions, extensions and improvements to the sewage collection and disposal system of the Issuer, 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 therewith, a work of public improvement for the Issuer.

§ 2.2. Ordinance to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall own the same from time to time, the provisions of this Ordinance shall be a part of the contract of the Issuer with the Owners and shall be deemed to be and shall constitute a contract between the Issuer and the Owners from time to time of the Bonds.

§ 2.3. Obligation of Bonds. The Bonds shall be payable as to both principal and interest solely from the Net Revenues to be derived from the operation of the System, pursuant to the Constitution and laws of the State of Louisiana. The Net Revenues are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds, in principal, premium, if any, and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Ordinance. All of the Net Revenues shall be set aside in a separate fund, as hereinafter provided, and shall be and remain pledged for the security and payment of the Bonds and any Parity Bonds, in principal, premium, if any, and interest and for all other payments provided for in this Ordinance until such bonds shall have been fully paid and discharged.

§ 2.4. Authorization of Bonds; Maturities. In compliance with and under the authority of the Act, and other constitutional and statutory authority, including the State Act, there is hereby authorized the incurring of an indebtedness of Fifteen Million Dollars (\$15,000,000) for, on behalf of and in the name of the Issuer, for the purposes set forth above, and to represent the

indebtedness, this Governing Authority does hereby authorize the issuance of Fifteen Million Dollars (\$15,000,000) of Sewer Revenue Bonds, Series 2010, of the Issuer. The Bonds shall be initially issued in the form of a single fully registered Bond numbered R-1 (or if in series as hereinafter provided, a single fully registered bond for each series, appropriately designated) shall be dated the date of delivery thereof and shall be in substantially the form attached hereto as Exhibit A.

The Bonds shall mature in twenty (20) installments of principal, payable annually on the Principal Payment Dates in compliance with the requirements of the Federal Act and the State Act that the first repayment of principal be not more than one year after the Completion Date. In no event shall the final maturity of the Bonds be more than twenty-two (22) years from the date of the delivery thereof to the Department.

The amount and dates of the principal installments of the Bonds shall be determined as of the date of delivery of the Bonds by the Executive Officers, in integral multiples of One Thousand Dollars (\$1,000) or Five Thousand Dollars (\$5,000), so that the combined annual principal, interest and Administrative Fee on the Bonds from and after the Scheduled Completion Date shall be approximately equal. In the event that less than the authorized principal amount of the Bonds is purchased, then upon the payment of the final installment of the purchase price of the Bonds the schedule of principal payments shall be recalculated so that the actual amount of principal, interest and Administrative Fee due in each bond year are approximately equal and, to the extent feasible, the principal installments are in integral multiples of One Thousand Dollars (\$1,000) or Five Thousand Dollars (\$5,000).

The unpaid principal of the Bonds shall bear interest from the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, at the rate of forty-five hundredths of one percent (.45%) per annum, said interest to be calculated on the basis of a 360-day year consisting of twelve 30-day months and payable on each Interest Payment Date. Interest on the Bonds on any Interest Payment Date shall be payable only on the aggregate amount of the purchase price which shall have been paid theretofore to the Issuer and is outstanding and shall accrue with respect to each purchase price installment only from the date of payment of such installment.

In addition to interest at the rate set forth above, at any time that the Department owns the Bonds the Issuer will pay the Administrative Fee to the Department on each Interest Payment Date. In the event (i) the Department owns any Bonds or the Department has pledged or assigned any Bonds in connection with its Municipal Facilities Revolving Loan Fund and (ii) the Administrative Fee payable by the Issuer to the Department under the terms of the Loan Agreement is declared illegal or unenforceable by a court or an administrative body of competent jurisdiction, the interest rate borne by the Bonds shall be increased by one-half of one percent (0.50%) per annum, effective as of the date declared to be the date from which the Administrative Fee is no longer owed because of such illegality or unenforceability.

§ 2.5. Manner of Payment. The principal and interest on the Bonds will be payable by check mailed to the Owner (determined as of the Interest Payment Date) at the address shown on the registration books kept by the Registrar for such purpose, provided that payment of the final installment of principal on the Bonds shall be made only upon presentation and surrender of the Bonds to the Registrar.

§ 2.6. Registration. The Issuer shall cause the Bond Register to be kept at the principal office of the Registrar (initially the Clerk of the Issuer) in which registration of the Bonds and transfers of the Bonds shall be made as provided herein. The Bonds may be transferred, registered and assigned only on the Bond Register of the Registrar, and such registration shall be at the expense of the Issuer. The Bonds may be assigned by the execution of an assignment form on the Bonds or by other instruments of transfer and assignment acceptable to the Registrar. A new Bond will be delivered by the Registrar to the last assignee (the new Owner) in exchange for such transferred and assigned Bond after receipt of the Bond to be transferred in proper form.

§ 2.7. Regularity of Proceedings. The Issuer, having investigated the regularity of the proceedings had in connection with the issuance of the Bonds, and having determined the same to be regular, each of the Bonds shall contain the following recital, to-wit:

"It is certified that this bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State."

§ 2.8. Execution of Bonds and Documents. The Executive Officers are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Ordinance, to execute and deliver the Loan Agreement, to cause the necessary Bonds to be printed, to issue, execute and seal the Bonds and to effect delivery thereof as hereinafter provided. If facsimile signatures are used on the Bonds, then such signatures shall be registered with the Louisiana Secretary of State in the manner required by La. R.S. 39:244.

In connection with the issuance and sale of the Bonds, the Executive Officers are each authorized, empowered and directed to execute on behalf of the Issuer such additional documents, certificates and instruments as they may deem necessary, upon the advice of bond counsel, to effect the transactions contemplated by this Ordinance, the signatures of said persons on such documents, certificates and instruments to be conclusive evidence of the due exercise of the authority granted hereunder.

§ 2.9. Sale and Delivery of Bonds. The Bonds are hereby awarded to and sold to the Department at a price of par plus accrued interest, if any, under the terms and conditions set forth in the Loan Agreement, and after their execution and authentication by the Registrar, the Bonds shall be delivered to the Department or its agents or assigns, upon receipt by the Issuer of the agreed purchase price. It is understood that the purchase price of the Bonds will be paid by the Department to the Issuer in installments, in the manner and under the terms and conditions set forth in the Loan Agreement.

§ 2.10. Designation as Build America Bonds. The Bonds shall be "Build America Bonds (Direct Payment)" pursuant to Section 54AA of the Code. Interest on the Bonds shall not be excluded from gross income for federal income tax purposes, and the Issuer irrevocably elects to designate all of the Bonds as "Build America Bonds" under Section 54AA of the Code and specifically as "qualified bonds" within the meaning of Section 54AA(g) of the Code.

All of the proceeds of the Bonds, other than no more than 2% of such proceeds used to pay issuance costs, plus investment proceeds thereof, will be used for capital expenditures and the issue price of the Bonds has no premium over the stated principal amount. None of the proceeds of the Bonds will be deposited to the Reserve Fund or to any other reasonably required reserve fund.

By this election, the Issuer will be entitled to a credit with respect to each interest payment as provided by Section 6431 of the Code equal to 35% of the interest payable under the Bonds on each Interest Payment Date. The Executive Officers are authorized and empowered to take any further action as may be necessary in order to qualify the Bonds as Build America Bonds (Direct Payment) under said Section 54AA and Section 6431 of the Code, including any necessary filings, agreements, forms (including IRS Form 8038-CP) or other documentation necessary to receive the 35% reimbursement described in said Sections.

### ARTICLE III PREPAYMENT OF BONDS

§ 3.1. Optional Prepayment of Bonds. The principal installments of the Bonds are subject to prepayment by the Issuer at any time, in whole or in part, in the inverse order of maturity, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date.

§ 3.2. Notice of Prepayment. Official notice of such call of any of the Bonds for prepayment shall be given by means of first class mail, postage prepaid by notice deposited in the United States Mail not less than thirty (30) days prior to the prepayment date addressed to the Owner of each Bond to be prepaid at his address as shown on the registration records of the Registrar. In the event a portion of the Bonds is to be prepaid, such Bonds shall be surrendered to the Registrar, who shall note the date and amount of such prepayment in the space provided therefor on the Bonds.

#### ARTICLE IV APPLICATION OF BOND PROCEEDS

§ 4.1. Issuance of Bonds; Application of Proceeds. All of the proceeds derived from the sale of the Bonds, which shall be paid in installments by the Department in the manner set forth in the Loan Agreement, shall be deposited by the Issuer in a Construction Fund (the "Construction Fund"). The funds in the Construction Fund shall be used solely for the purpose of paying Costs of the Project, in the manner set forth in the Loan Agreement. Any accrued interest and premium received upon the sale of the Bonds shall be deposited in the Debt Service Fund described in Section 5.01(b) hereof.

§ 4.2. Investment of Construction Fund. Moneys in the Construction Fund may be temporarily invested in the manner provided by Louisiana law. Said moneys shall be sacred funds and the Owners shall have a lien thereon until said funds are paid out as provided in the Loan Agreement and this Ordinance. Any investment earnings on moneys in the Construction Fund may be retained in the Construction Fund and applied for the purposes described in this Section, or may be transferred to the Debt Service Fund described in Section 5.1(b) hereof and applied to the payment of interest accruing on the Bonds during the period of construction of Project.

All moneys in the Construction Fund shall at all times be secured to the full extent thereof by the banks or trust companies holding such funds by direct obligations of the United States of America or the State of Louisiana having a market value not less than the amount of moneys then on deposit in said funds.

#### ARTICLE V PAYMENT OF BONDS; FLOW OF FUNDS

§ 5.1. Funds and Accounts. All of income and revenues derived from the operation of the System shall be deposited daily as the same may be collected in the "Sewer Revenue Fund" (the "Revenue Fund"). Funds in the Revenue Fund shall be expended in the following order of priority and for the following express purposes:

(a) All reasonable and necessary costs and expenses of administration, operation and maintenance of the System as are not provided for from other lawfully available sources shall first be paid from the Revenue Fund.

(b) The Issuer shall create and maintain a separately identifiable fund designated as the "Sewer Revenue Bond and Interest Sinking Fund" (the "Debt Service Fund"), by transferring from funds in the Revenue Fund, after making the payments required by (a) above, to the Debt Service Fund monthly on or before the 20th day of each month of each year, a sum equal to the principal, interest and Administrative Fee, if any, accruing on the Bonds and any Parity Obligations for such month, together with such additional proportionate monthly sum as may be required to pay said principal, interest and Administrative Fee, if any, as the same become due. The Issuer shall transfer from said Debt Service Fund to the paying agent bank or banks for all bonds payable from the Debt Service Fund, or directly to the Owners, on or before each Interest Payment Date, funds fully sufficient to pay promptly the principal, interest and Administrative Fee, if any, falling due on such date.

(c) The Issuer shall create and maintain a separately identifiable fund or account designated as the "Sewer Revenue Bond Reserve Fund" (the "Reserve Fund") the money in the Reserve Fund to be retained solely for the purpose of paying the principal of and interest on bonds payable from the Debt Service Fund as to which there would otherwise be default, by transferring from the Revenue Fund (after making all required payments from said fund as hereinabove described), on or before the 20<sup>th</sup> day of each month, a sum at least equal to 25% of the amount to be paid into the Debt Service Fund for such month, the payments into said Reserve Fund to continue until such time there has been accumulated therein a sum equal to the Reserve Fund Requirement. Upon the issuance of Parity Obligations, there shall be transferred from the proceeds of such additional bonds and/or from the Revenue Fund into the Reserve Fund, monthly or annually, such amounts (as may be designated in the ordinance authorizing the issuance of such Parity Obligations) as will increase the total amount on deposit in the Reserve Fund within a period not exceeding five (5) years to a sum equal to the Reserve Fund Requirement for all outstanding bonds payable from the Debt Service Fund, including such Parity Obligations.

(d) The Issuer shall create and maintain a separately identifiable fund or account designated "Sewer Depreciation Additions and Contingency Fund" (the "Contingency Fund") to care for extensions, additions, improvements, renewals and replacements necessary to properly operate the System, by transferring from funds in the Revenue Fund after making the payments required by (a), (b) and (c) above to the Contingency Fund monthly on or before the 20<sup>th</sup> day of each month of each year, a sum equal to five percent (5%) of the Net Revenues for the preceding month, provided that such sum is available after provision is made for the payments required under paragraphs (a), (b) and (c) above. Such payments into the Contingency Fund shall continue until such time as there has been accumulated in the Contingency Fund the sum of One Hundred Thousand Dollars (\$100,000), whereupon such payments may cease and need be resumed thereafter only if the total amount of money on deposit in said fund is reduced below said sum of One Hundred Thousand Dollars (\$100,000), in which event such payments shall be resumed and continue until said maximum amount is again accumulated. In addition to caring for extensions, additions, improvements, renewals and replacements necessary to properly operate the System, the money in the Contingency Fund may also be used to pay the principal of and the interest on the Bonds, including any Parity Obligations, for the payment of which there is not sufficient money in the Debt Service Fund and the Reserve Fund described in paragraphs (b) and (c) above, but the money in said Contingency Fund shall never be used for the making of improvements and extensions to the System or for payment of principal or interest on Bonds if the use of said money will leave in said Contingency Fund for the making of emergency repairs or replacements less than the sum of Ten Thousand Dollars (\$10,000).

(e) Any money remaining in the Revenue Fund after making the above-required payments may be used by the Issuer for the purpose of calling and/or purchasing and paying any bonds payable from the revenues of the System, or for such other lawful corporate purposes as the Governing Authority may determine, whether such purposes are or are not in relation to the System.

§ 5.2. Replenishment of Funds. If at any time it shall be necessary to use moneys in the Reserve Fund or the Contingency Fund for the purpose of paying principal of or interest on Bonds payable from the Debt Service Fund as to which there would otherwise be default, then the moneys so used shall be replaced from the revenues first thereafter received, not hereinabove required to be used for the purposes described in (a) and (b) above of Section 5.1. If at any time there are sufficient moneys on deposit in the Debt Service Fund, Reserve Fund and Contingency Fund to retire all outstanding bonds payable from the Debt Service Fund by defeasance, by exercising the prepayment option provided by such Bonds or by purchase on the open market, the Issuer may utilize such funds for such purpose.

§ 5.3. Notification of Deficiencies. As required by R.S. 39:1410.62 the Issuer will notify the State Bond Commission, in writing, whenever (i) transfers to any fund required to be established by this Ordinance or any ordinance authorizing the issuance of indebtedness of the Issuer have not been made timely or (ii) principal, interest, premiums, or other payments due on the Issuer Bonds or any other outstanding indebtedness of the Issuer have not been made timely.

§ 5.4. Investment of Funds. All or any part of the moneys in the foregoing funds and accounts shall, at the written request of the Issuer, be invested in the manner provided by law, in Government Securities maturing in five (5) years or less and moneys in the other funds and accounts provided for herein shall be invested in any investments permitted by the laws of the State. Such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the respective funds are created. All income or earnings from such investments shall be deposited in the Revenue Fund as income and revenues of the System.

§ 5.5. Deposit of Funds and Security Therefor. All of the income and revenues to be earned from the operation of the System shall be deposited daily as provided in Section 5.1 hereof in the Revenue Fund, which Fund shall be maintained separate and apart from all other funds of the Issuer. The Debt Service Fund, the Reserve Fund and the Contingency Fund shall be held by the depository banks as special trust funds for the purposes provided in this Ordinance, and all other funds shall be held by the designated banks as special deposits for the purposes set forth in this Ordinance, and subject to such reasonable instructions as the Governing Authority may give in writing to the banks holding such funds. The Owners are hereby granted a lien on all funds established pursuant to the requirements of this Ordinance until applied in the manner herein provided. The moneys on deposit in all of the funds herein required shall at all times be secured to the full extent thereof by the banks or trust companies holding such funds by direct obligations of the United States of America or the State of Louisiana having a market value not less than the amount of moneys then on deposit in said funds.

## ARTICLE VI ISSUANCE OF PARITY OBLIGATIONS

§ 6.1. Issuance of Parity Obligations; Parity Requirements. The Issuer hereby covenants that it shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on any part of the Revenues having priority over or parity with the Bonds herein authorized, except that Parity Obligations may be issued hereafter if the following conditions are met:

- (a) The Bonds or any part thereof, including interest and redemption premiums thereon, may be refunded and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues may have been enjoyed by the Bonds refunded; provided, however, that if only a portion of the Bonds outstanding is so refunded and if the refunding bonds require principal and interest payments during any year in excess of the principal and interest which would have been required to pay the Bonds refunded thereby, then such Bonds may not be refunded without the consent of the Owners of the unrefunded portion of the Bonds (provided such consent shall not be required if such refunding bonds meet the requirements set forth in clause (b) below); or
- (b) Parity Obligations may also be issued if all of the following conditions are met:
  - (i) The average annual Net Revenues of the System for the two (2) completed Fiscal Years immediately preceding the issuance of the additional obligations must have been not less than 1.20 times the highest combined principal and interest requirements for any succeeding Fiscal Year on all Bonds then outstanding and any other bonds or obligations whatsoever then outstanding which are payable from the Revenues (but not including Bonds which have been refunded or provisions otherwise made for their full and complete payment and prepayment), and the Parity Obligations so proposed to be issued. In making the calculation required by this subparagraph (b)(i), if the Issuer has adopted higher rates for any services of the System on or before the date of issuance of the Parity Obligations, the calculation of average annual Net Revenues for the previous two completed Fiscal Years may be made assuming such rates had been in effect during such period;
  - (ii) There must be no delinquencies required to be made into the various funds maintained by this Ordinance;

(iii) The existence of the facts required by paragraphs (i) and (ii) above must be determined by the Chief Financial Officer of the Issuer, an independent certified public accountant who have been employed to audit the books of the Issuer or by such successors thereof who have been employed for such purposes;

(iv) The Parity Obligations must be payable as to principal on the same date in each year as principal falls due on the Bonds (commencing not later than three (3) years after the issuance of such bonds) and payable as to interest on the same Interest Payment Dates as the Bonds; and

(v) The proceeds of the Parity Obligations must be used solely for the making of improvements, extensions, renewals, replacements or repairs to the System or to refund the Bonds or any Parity Obligations.

ARTICLE VII  
RATES AND CHARGES; RATE COVENANT;  
COVENANTS AS TO THE OPERATION OF THE SYSTEM

§ 7.1. Operation of the System. The Issuer will maintain the System in good repair and operating condition and will cooperate with the Department in the observance and performance of the respective duties, covenants, obligations and agreements of the Issuer and the Department under the Loan Agreement.

§ 7.2. Sewer Charges and Connections. The Issuer, acting in the exercise of its police powers, shall take all action necessary to require every owner, tenant or occupant of each lot or parcel of land within the geographical boundaries of the Issuer which abuts upon a street or other public way containing a sewer line and upon which lots or parcels of a building shall have been constructed for residential, commercial or industrial use, to connect said building with the System and to cease to use any other method for the disposal of sewage, wastewater or other polluting matter which can be handled by the System. All such connections shall be made in accordance with the rules and regulations to be adopted from time to time by the Issuer, which rules and regulations may provide for an inspection charge to assure the proper making of such connection.

The Issuer will not furnish or supply or cause to be furnished or supplied any use, or service of the System free of charge to any person, firm, corporation (public or private), public agency or instrumentality.

In addition to all other rights and remedies available to be used for the enforcement of sewerage charges and for the compelling of the making of sewerage connections as aforesaid, the Issuer covenants that it shall exercise and enforce promptly and efficiently all rights given it under the laws of the State for the enforcement and collection of such charges.

§ 7.3. Rate Covenant. The Issuer will enact, maintain and enforce an ordinance or resolution imposing User Fees and will enact, maintain and enforce a sewerage use ordinance or resolution or similar proceeding that satisfies the requirements of all applicable regulations.

So long as the Bonds are outstanding, the Issuer through its Governing Authority, obligates itself to fix, establish, maintain, levy and collect such rates, fees, rents or other charges for services and facilities of the System and all parts thereof and to revise the same from time to time whenever necessary to always provide Revenues in each Fiscal Year sufficient meet all requirements of this Ordinance and at least to pay (i) such reasonable and necessary costs and expenses of operating and maintaining the System in each Fiscal Year as are not provided for from other lawfully available sources, (ii) the principal and interest maturing on the Bonds and any Parity Obligations in each Fiscal Year, (iii) all other payments required for such Fiscal Year by this Ordinance as are not provided for from other lawfully available sources, (iv) all other payments required by this Ordinance for such Fiscal Year and (v) all other obligations and indebtedness payable out of the Revenues for such Fiscal Year. Such rates, fees, rents or other charges shall not at any time be reduced so as to be insufficient to provide adequate Revenues for the foregoing purposes, and such rates, fees, rents or other charges will in any event provide

Net Revenues for such Fiscal Year at least equal to 120% of the largest amount of principal and interest maturing on the Bonds and any Parity Obligations in any future Fiscal Year, provided, however, to the extent that revenues derived from other sources, which are available to and appropriated by this Governing Authority to the reasonable and necessary expenses of operating and maintaining the System, then such rates, fees, rents and other charges may be correspondingly reduced.

As provided in the Loan Agreement, so long as the Department owns the Bonds or any portion thereof, the user fees shall satisfy the requirements of LAC 33.1X.2111(L), or any successor provision, that the user fees generate sufficient revenues to cover the costs of operation, maintenance and replacement of the System.

§ 7.4. Annual Review of User Fees. At least annually the Issuer shall review the adequacy of its User Fees to satisfy the requirements of Section 7.3 for the next succeeding Fiscal Year, in the manner provided by the Loan Agreement.

§ 7.5. Enforcement of User Fees. Except as provided herein, nothing in this Ordinance or in the Bonds shall be construed to prevent the Issuer from altering, amending or repealing from time to time as may be necessary any Ordinance setting up and establishing a schedule or schedules of User Fees, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the Revenues, not alone for the payment of the principal of and interest on the Bonds, but to give assurance and insure that the Revenues, together with such other lawfully available funds as are used by the Issuer for such purposes, shall be sufficient at all times to meet and fulfill the other provisions stated and specified in Section 5.1 of this Ordinance.

It is understood and agreed, however, that the Issuer shall fix and maintain and collect rates and charges for the services and facilities to be rendered by the System, irrespective of the user thereof, that no free service shall be furnished to any person, association of persons or corporation, public or private, or even to the Issuer itself. No discrimination shall be made as to rates and charges for the services and facilities of the System as between users of the same type or class. All charges owed by an individual, partnership or corporation for sewer services rendered by the Issuer will be billed and collected as a unit. Failure of any individual, partnership or corporation to pay said charges within fifteen (15) days of the date on which it is due shall cause such charge to become delinquent; the Issuer further agrees that if such delinquent charge, with interest and penalties accrued thereon, is not paid within fifteen (15) days from the date on which it became delinquent, the Issuer will shut off or cause to be shut off water services to the affected premises. The Issuer further agrees that the Issuer and the Governing Authority and its officials, agents and employees will do all things necessary and will take advantage of all remedies afforded by law to collect and enforce the prompt payment of all charges made for services rendered by the System. All delinquent charges for such services shall on the date of delinquency have added thereto a penalty in such amount as may be determined by the Governing Authority, and the amount so due, including the penalty charge, shall, after thirty (30) days from the date of delinquency, bear interest at the rate of at least six per centum (6%) per annum. If services shall be discontinued as above provided, the customer shall, in addition to paying the delinquent charges, penalties and interest, if any, pay as a condition precedent to the resumption of service, a reconnection charge as determined by the Governing Authority.

It is further understood and agreed that the schedule of User Fees being charged as of the date of the adoption of this Ordinance for services and facilities rendered by the System shall remain in effect and neither said existing schedule nor any subsequent schedule shall be reduced at any time unless all payments required for all funds by this Ordinance, including any deficiencies for prior payments, have been fully made, and unless such schedule as so reduced will in each year thereafter produce sufficient Revenues to meet and fulfill the other provisions stated and specified in Section 5.1 hereof.

§ 7.6. Right to Pledge Revenues; Rank of Lien. In providing for the issuance of the Bonds, the Issuer does hereby covenant and warrant that it is lawfully seized and possessed of the System, that it has a legal right to pledge the Revenues therefrom as herein provided, that the Bonds will have a lien and privilege on said Revenues subject only to the prior payment from

such Revenues or from other lawfully available sources of all reasonable and necessary costs and expenses of operation and maintenance of the System.

§ 7.7. Records and Accounts; Audit Reports. The Issuer will establish and maintain adequate financial records as required by the laws of the State governing financial record-keeping by political subdivisions and in accordance with generally accepted accounting principles (“GAAP”) and will make these and the following records and reports available to the Owners or their authorized representatives upon request.

The Issuer will cause an audit of its financial statements to be made by an independent firm of certified public accountants in accordance with the requirements of Chapter 8 of Title 24 of the Louisiana Revised Statutes of 1950, as amended, and for so long as the Department owns the Bonds, or any part thereof, in accordance with the requirements of Circular A-133 of the U.S. Office of Management and Budget, and Section 55.458 of the Catalog of Federal Domestic Assistance (CFDA #66.458 - Capitalization Grants for State Revolving Funds), if applicable. Upon completion, but in no event later than six (6) months after the close of the applicable Fiscal Year, the Issuer shall file a copy of such audited financial statements with any Owner requesting same. In addition to whatever matters may be thought proper by the auditors to be included therein, the audited financial statements shall include the content required by the Loan Agreement.

A reasonable portion of the expenses incurred in the preparation of the audit report required by this Section may be regarded and paid as a maintenance and operation expense of the System. The Issuer further agrees that the Department shall have the right to ask for and discuss with the accountant making the review and the contents of the review and such additional information as it may reasonably require. The Issuer further agrees to furnish to the Department, upon request therefor, a monthly statement itemized to show the income and expenses of the operation of the System and the number of users for the preceding month.

§ 7.8. Rights of Owners; Appointment of Receiver in Event of Default. The Owners from time to time shall be entitled to exercise all rights and powers for which provision is made in the laws of the State of Louisiana. Any Owners or any trustee acting for such Owners in the manner hereinafter provided, may, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State of Louisiana, or granted and contained in this Ordinance, and may enforce and compel the performance of all duties required by this Ordinance, or by any applicable statutes to be performed by the Issuer or by any agency, board or officer thereof, including the fixing, charging and collecting of rentals, fees or other charges for the use of the System, and in general to take any action necessary to most effectively protect the rights of the Owners.

In the event that default shall be made in the payment of the interest on or the principal of any of the Bonds as the same shall become due, or in the making of the payments into the Debt Service Fund or the Reserve Fund or any other payments required to be made by this Ordinance, or in the event that the Issuer or any agency, board, officer, agent or employee thereof shall fail or refuse to comply with the provisions of this Ordinance or shall default in any covenant made herein, and in the further event that any such default shall continue for a period of thirty (30) days after written notice, any Owners or any trustee appointed to represent such Owners as hereinafter provided, shall be entitled as of right to the appointment of a receiver of the System in an appropriate judicial proceeding in a court of competent jurisdiction.

The receiver so appointed shall forthwith directly or by his agents and attorneys, enter into and upon and take possession of the System, and each and every part thereof, and shall hold, operate and maintain, manage and control the System, and each and every part thereof, and in the name of the Issuer shall exercise all the rights and powers of the Issuer with respect to the System as the Issuer itself might do. Such receiver shall collect and receive all rates, fees, rentals and other revenues, maintain and operate the System in the manner provided in this Ordinance, and comply under the jurisdiction of the court appointing such receiver, with all of the provisions of this Ordinance.

Whenever all that is due upon the Bonds and interest thereon, and under any covenants of this Ordinance for reserve, sinking or other funds, and upon any other obligations and interest

thereon, having a charge, lien or encumbrance upon the fees, rentals or other revenues of the System, shall have been paid and made good, and all defaults under the provisions of this Ordinance shall have been cured and made good, possession of the System shall be surrendered to the Issuer upon the entry of an order of the court to that effect. Upon any subsequent default, any Owner, or any trustee appointed for such Owners as hereinafter provided, shall have the same right to secure the further appointment of a receiver upon any such subsequent default.

Such receiver shall in the performance of the powers hereinabove conferred upon him be under the direction and supervision of the court making such appointment, shall at all times be subject to the orders and decrees of such court, and may be removed thereby and a successor receiver appointed in the discretion of such court. Nothing herein contained shall limit or restrict the jurisdiction of such court to enter such other and further orders and decrees as such court may deem necessary or appropriate for the exercise by the receiver of any function not specifically set forth herein.

Any receiver appointed as provided herein shall hold and operate the System in the name of the Issuer and for the joint protection and benefit of the Issuer and the Owners. Such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any property of any kind or character belonging or pertaining to the System but the authority of such receiver shall be limited to the possession, operation and maintenance of the System for the sole purpose of the protection of both the Issuer and the Owners and the curing and making good of any default under the provisions of this Ordinance, and the title to and the ownership of the System shall remain in the Issuer, and no court shall have any jurisdiction to enter any order or decree permitting or requiring such receiver to sell, mortgage or otherwise dispose of any property of the System except with the consent of the Issuer and in such manner as the court shall direct.

The Owner or Owners in an aggregate principal amount of not less than twenty-five percent (25%) of Bonds issued under this Ordinance then outstanding may by a duly executed certificate appoint a trustee for the Owners with authority to represent such Owners in any legal proceedings for the enforcement and protection of the rights of such Owners. Such certificate shall be executed by such Owners, or by their duly authorized attorneys or representatives, and shall be filed in the office of the Clerk of the Governing Authority.

UNTIL AN EVENT OF DEFAULT SHALL HAVE OCCURRED, THE ISSUER SHALL RETAIN FULL POSSESSION AND CONTROL OF THE SYSTEM WITH FULL RIGHT TO MANAGE, OPERATE AND USE THE SAME AND EVERY PART THEREOF WITH THE RIGHTS APPERTAINING THERETO, AND TO COLLECT AND RECEIVE, AND, SUBJECT TO THE PROVISIONS OF THIS ORDINANCE, TO TAKE, USE AND ENJOY AND DISTRIBUTE THE EARNINGS, INCOME, RENT, ISSUE AND PROFITS ACCRUING ON OR DERIVABLE FROM THE SYSTEM.

§ 7.9. Limitations on Sale, Lease or Other Disposition of Property. So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall be bound and obligated not to sell, lease, encumber or in any manner dispose of the System or any substantial part thereof; provided, however, that this covenant shall not be construed to prevent the disposal by the Issuer of property which in its judgement has become worn out, unserviceable, unsuitable or unnecessary in the operation of the System, when other property of equal value is substituted therefor or the sale price thereof is deposited in the Contingency Fund.

§ 7.10. Competitive Franchises. So long as the Bonds are Outstanding the Issuer obligates itself not to grant a franchise to any utility for operation within the boundaries of the Issuer which would render services or facilities in competition with the System, and also obligates itself to oppose the granting of any such franchise by any other public body having jurisdiction over such matters. Further, the Issuer shall maintain its corporate identity and existence so long as any of the Bonds remain outstanding.

§ 7.11. Prohibition Against Encumbrances. Except as provided in Section 7.9 of this Ordinance, the Issuer will maintain title to or the possession of the System and equipment acquired and properties improved by the Project, including any necessary servitudes and rights-of-way acquired in connection with the Project. Title to any immovable equipment and any real property purchased by the Issuer in connection with the Project will remain free and clear of all

liens and encumbrances. Furthermore, all movable property necessary for the operation of the system will remain free of all liens except liens necessary to secure the purchase of said movable equipment provided that the cumulative amount of said liens does not at any time exceed \$25,000.

§ 7.12. Insurance; Fidelity Bonds. So long as the Bonds are outstanding the Issuer will maintain or cause to be maintained in force insurance policies and fidelity bonds as set forth in the Loan Agreement.

§ 7.13. Retention of Consulting Engineer in Case of Certain Defaults. THE PROVISIONS OF THIS SECTION SHALL APPLY ONLY DURING ANY PERIOD WHEN THE ISSUER MAY BE IN DEFAULT IN MAKING REQUIRED PAYMENTS INTO THE FUNDS REQUIRED BY SECTION 5.1 OF THIS ORDINANCE OR WHEN AN "EVENT OF DEFAULT" HAS OCCURRED UNDER THE LOAN AGREEMENT.

The Issuer covenants and agrees that in the event it should fail to derive sufficient income from the operation of the System to make the required monthly payments into the funds established by Section 5.1 hereby, it will retain a Consulting Engineer on a continuous basis until all defaults are cured, for the purpose of providing for the Issuer continuous engineering counsel in the operation of its System. Such Consulting Engineer shall be retained under contract at such reasonable compensation as may be fixed by the Governing Authority, and the payment of such compensation shall be considered to be one of the costs of maintaining and operating the System. Any Consulting Engineer appointed under the provisions of this Section may be replaced at any time by another Consulting Engineer appointed or retained by the Issuer, with the consent and approval of the Owners of a majority of the outstanding principal amount of the Bonds.

The Consulting Engineer shall prepare within one hundred eighty (180) days after the close of each Fiscal Year a comprehensive operating report, which report shall contain therein or be accompanied by a certified copy of an audit of the preceding Fiscal Year prepared by the Issuer's certified public accountants, and in addition thereto, shall report upon the operations of the System during the preceding Fiscal Year, the maintenance of the properties, the efficiency of the management of the System, the proper and adequate keeping of books of record and account, the adherence to budget and budgetary control provisions, the adherence to the provisions of this Ordinance and all other things having a bearing upon the efficient and profitable operation of the System, and shall include whatever criticism of any phase of the operation of the System the Consulting Engineer may deem proper, and such recommendations as to changes in operations and the making of repairs, renewals, replacements, extensions, betterments and improvements as the Consulting Engineer may deem proper. Copies of such report shall be placed on file with the Clerk of the Issuer and sent to the Owners, and shall be open to inspection by any Owner. It shall be the duty of the Consulting Engineer to pass on the economic soundness or feasibility of any extensions, betterments, improvements, expenditures or purchases of equipment and materials or supplies, which will involve the expenditure of more than Five Thousand Dollars (\$5,000.00), whether in one or more than one order, and whether authorized by a budget or not, from funds on deposit in the Contingency Fund, and the Consulting Engineer shall devise and prescribe a form or forms wherein shall be set forth his or its approval in certificate form, copies of which shall be filed with the Clerk of the Issuer and the depository for said Contingency Fund.

Sixty (60) days before the close of each Fiscal Year, the Consulting Engineer shall submit to the Governing Authority a suggested budget for the ensuing year's operation of the System and shall submit recommendations as to the schedule of rates and charges for sewerage services supplied by the System, taking into account any other lawfully available funds of the Issuer that may be available for such purposes. A copy of said suggested budget and recommendations shall also be furnished by said Consulting Engineer directly to the Owners. Such recommendations as to rates and charges, consistent with the requirements relating thereto contained herein, shall be followed by the Governing Authority insofar as practicable and all other recommendations shall be given careful consideration by the Governing Authority and shall be substantially followed, except for good and reasonable cause. No expenditures for the operation, maintenance and repair of the System in excess of the amounts stated in said budget shall be made in any year, except upon the certificate of the Consulting Engineer that such expenditures are necessary and essential to the continued operation of the System.

It shall be the duty of the Consulting Engineer to prescribe a system of budgetary control along with forms for exercising of such control which shall be utilized by the manager or superintendent of the System and his staff, and the manager or superintendent shall cause to be prepared monthly reports not later than the twentieth day of each month, for the preceding month's business and operation of the System, which reports shall be submitted to the Consulting Engineer, who shall prepare an analysis of each such report, which analysis shall be filed monthly as expeditiously as possible with the chief financial officer of the Issuer, the manager or superintendent and with the original purchaser of the Bonds.

In the event the Governing Authority shall fail to select and retain a Consulting Engineer in accordance with the first paragraph of this Section within thirty (30) days after the occurrence of the conditions prescribed thereby, then upon the petition of the Owners of twenty-five percent (25%) of the aggregate principal amount of the Bonds then outstanding, the Governing Authority shall select and retain such Consulting Engineer as is named in the petition of the Owners.

#### ARTICLE VIII FEDERAL TAX MATTERS; CONTINUING DISCLOSURE

§8.1. General Tax Covenants. Although the Bonds are herein designated as ABuild America Bonds (Direct Payment) pursuant to Section 54AA of the Code, the Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code such that, but for said designation as Build America Bonds (Direct Payment) under the Code, the interest on the Bonds would have been excluded from "gross income" under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would have otherwise caused the Bonds to be "arbitrage bonds" or would have resulted in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Bond proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds".

§ 8.2. Disclosure Under SEC Rule 15c2-12. The Issuer is not required at this time to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because:

- (a) the Bonds are not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities; and
- (b) the Bonds are in denominations of One Hundred Thousand Dollars (\$100,000) or more and are being sold to no more than three financial institutions or sophisticated investors which (i) have such knowledge and experience in financial and business matters that they are capable of evaluating the merits and risks of the prospective investment in the Bonds and (ii) are not purchasing said Bonds for more than one account or with a view to distributing same.

#### ARTICLE IX SUPPLEMENTAL BOND ORDINANCES

§ 9.1. Supplemental Ordinances Effective Without Consent of Owners. For any one or more of the following purposes and at any time from time to time, an Ordinance or ordinance supplemental hereto may be adopted, which, upon the filing with the Registrar and any rating agency which is then rating the Bonds, of a notice thereof at least fifteen (15) days prior to the adoption thereof, and thereafter with a certified copy thereof, but without any consent of Owners, shall be fully effective in accordance with its terms:

- i) to add to the covenants and agreements of the Issuer in the Ordinance other covenants and agreements to be observed by the Issuer which are not contrary to or inconsistent with the Ordinance as theretofore in effect;

ii) to add to the limitations and restrictions in the Ordinance other limitations and restrictions to be observed by the Issuer which are not contrary to or inconsistent with the Ordinance as theretofore in effect;

iii) to surrender any right, power or privilege reserved to or conferred upon the Issuer by the terms of the Ordinance, but only if the surrender of such right, power or privilege is not contrary to or inconsistent with the covenants and agreements of the Issuer contained in the Ordinance;

iv) to cure any ambiguity, supply any omission, or cure or correct any defect or inconsistent provision of this Ordinance; or

v) to insert such provisions clarifying matters or questions arising under the Ordinance as are necessary or desirable and are not contrary to or inconsistent with the Ordinance as theretofore in effect.

§ 9.2. Supplemental Ordinances Effective With Consent of Owners. Except as provided in Section 9.1, any modification or amendment of the Ordinance or of the rights and obligations of the Issuer and of the Owners hereunder, in any particular, may be made by a supplemental Ordinance, with the written consent of the Owners of a majority of the Outstanding principal amount of the Bonds at the time such consent is given. The Issuer shall give a notice thereof to the Registrar and any rating agency which is then rating the Bonds, at least fifteen (15) days prior to the adoption thereof, and thereafter shall furnish to said persons a certified copy thereof. No such modification or amendment shall permit a change in the terms of prepayment or maturity of the principal of any outstanding Bond or of any installment of interest thereon or a reduction in the principal amount or the prepayment price thereof or in the rate of interest thereon without the consent of the Owner of such Bond, or shall reduce the percentages of Bonds the consent of the Owner of which is required to effect any such modification or amendment, or change the obligation of the Issuer to levy and collect User Fees as provided herein, without the consent of the Owners of all of the Bonds then outstanding, or shall change or modify any of the rights or obligations of either the Registrar without its written assent thereto.

## ARTICLE X EVENTS OF DEFAULT

§ 10.1. Events of Default. If one or more of the following events (in this Ordinance called "Events of Default") shall happen, that is to say, (a) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise; or (b) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or (c) if default shall be made by the Issuer in the performance or observance of any other of the covenants, agreements or conditions on its part in this Ordinance, any supplemental ordinance or in the Bonds contained and such default shall continue for a period of forty-five (45) days after written notice thereof to the Issuer by the Owners of not less than 25% of the Outstanding principal amount of the Bonds; or (d) if the Issuer shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law; then, upon the happening and continuance of any Event of Default, the Owners shall be entitled to exercise all rights and powers for which provision is made under Louisiana law.

## ARTICLE XI MISCELLANEOUS

§ 11.1. Defeasance. i) If the Issuer shall pay or cause to be paid to the Owners of all Bonds then outstanding, the principal and interest and prepayment premium, if any, to become due thereon, at the times and in the manner stipulated therein and in the Ordinance, then the covenants, agreements and other obligations of the Issuer to the Owners shall be discharged and satisfied. In such event, the Registrar shall, upon the request of the Issuer, execute and deliver to the Issuer all such instruments as may be desirable to evidence such discharge and satisfaction and the Registrar shall pay over or deliver to the Issuer all moneys, securities and funds held by them pursuant to this Ordinance which are not required for the payment or prepayment of Bonds not theretofore surrendered for such payment or prepayment.

ii) Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit by the Issuer of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section if they have been defeased using Defeasance Obligations pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

§ 11.2. Parties Interested Herein. Nothing in the Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the Issuer, the Registrar and the Owners any right, remedy or claim under or by reason of the Ordinance or any covenant, condition or stipulation thereof; and all the covenants, stipulations, promises and agreements in the Ordinance contained by and on behalf of the Issuer shall be for the sole and exclusive benefit of the Issuer, the Registrar and the Owners.

§ 11.3. Loan Agreement and Commitment Agreement. The Governing Authority recognizes that the Bonds will be sold to the Department pursuant to its State Revolving Fund. In connection with this sale, the Issuer and the Department will enter into the Loan Agreement presented by the Department to the Issuer pertaining to the Bonds and the Project, which Loan Agreement shall be substantially in the form attached as Exhibit B hereto. The Executive Officers are hereby authorized to execute such Loan Agreement on behalf of and under the seal of the Issuer in substantially the form attached as Exhibit B hereto with such changes, additions and deletions as shall in the sole opinion of the Executive Officers, upon advice of Bond Counsel, be deemed, the form and contents of which Loan Agreement are hereby approved by this Governing Authority. Prior to the delivery of the Bonds and acting upon advice of Bond Counsel, the Issuer will enter into the Loan Agreement with such changes, additions and deletions as may be deemed appropriate by the Executive Officers upon advice of Bond Counsel, and the Executive Officers are directed to execute such Loan Agreement on behalf of the Issuer. So long as the Department owns any portion of the Bonds, then to the extent that any provision of this Ordinance is inconsistent with or contrary to any provision of the Loan Agreement, the applicable provision of the Loan Agreement shall control. As shall be provided in the Loan Agreement, the Issuer shall comply with certain provisions of the Loan Agreement, as specified therein, regardless of whether or not the Department is the owner and regardless of any prepayment or defeasance of the Bonds prior to their final stated maturity.

With the advice of Bond Counsel, the Executive Officers are further authorized and directed to execute on behalf of the Issuer a Commitment Agreement by and between the Department and the Issuer which the Department may require as a prerequisite to the execution of the Loan Agreement, said Commitment Agreement to be substantially in the form of the Commitment Agreement on file with the Clerk of the Issuer.

§ 11.4. Registrar. The Issuer will at all times maintain a Registrar for the performance of the duties hereunder. The initial Registrar pursuant to this Ordinance is the Clerk of the Governing Authority. This Governing Authority reserves the right to appoint a successor Registrar by (1) filing with the person then performing such function a certified copy of an ordinance appointing a successor and (2) causing notice to be given to each Owner. Every successor Registrar shall at all times be a corporation organized and doing business under the laws of the United States of America or of any State, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. In appointing a successor Registrar, this Governing Authority will authorize the Executive Officers to execute an appropriate agreement with the successor Registrar or and on behalf of the Issuer in such form as may be satisfactory to the Executive Officers, setting forth the duties and obligations of the successor Registrar.

§ 11.5. No Recourse on the Bonds. No recourse shall be had for the payment of the principal of or interest on the Bonds or for any claim based thereon or on this Ordinance against any member of the Governing Authority or officer of the Issuer or any person executing the Bonds.

§ 11.6. Successors and Assigns. Whenever in this Ordinance the Issuer is named or referred to, it shall be deemed to include its successors and assigns and all the covenants and

agreements in this Ordinance contained by or on behalf of the Issuer shall bind and enure to the benefit of its successors and assigns whether so expressed or not.

§ 11.7. Severability. In case any one or more of the provisions of the Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of the Ordinance or of the Bonds, but the Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of the Ordinance which validates or makes legal any provision of the Ordinance or the Bonds which would not otherwise be valid or legal shall be deemed to apply to the Ordinance and to the Bonds.

§ 11.8. Publication of Ordinance; Preemption. This Ordinance shall be published one time in the official journal of the Issuer. As provided in Article VI, Section 35(B) of the Louisiana Constitution of 1974, as amended, for thirty (30) days after the date of publication any person in interest may contest the legality of this Ordinance and of any provision herein made for the security and payment of the Bonds. After that time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of this Ordinance, and the provisions hereof for any cause whatever. Thereafter, it shall be conclusively presumed that every legal requirement for the issuance of the Bonds has been complied with. No court shall have authority to inquire into any of these matters after the thirty (30) days.

§ 11.9. Effective Date. Notice of the Introduction of this Bond Ordinance, having been published in the official journal of the Issuer as required by law, and a copy hereof having remained on file in final form for public inspection with the Clerk since its date of introduction, and having been read in full, this Bond Ordinance shall be in full force and effect upon approval by the Parish President.

The final adoption of the foregoing Bond Ordinance having been duly moved and seconded, the roll was called and the following vote was taken and recorded:

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

NAYS: NONE.

ABSENT: NONE.

ABSTAINING: NONE.

And the ordinance was declared adopted on this 26<sup>th</sup> day of May, 2010.

(EXHIBITS TO ORDINANCE ON FILE IN OFFICE OF COUNCIL CLERK)

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The Chairwoman recognized the public for comments on the following:

- C. A proposed ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement for the lease of Hazard Mitigation Grant Program (HMGP) property located at 214 Bayou Gardens Drive (Lot 13 Tall Timbers) with Virgie and James Beach

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

Ms. T. Cavalier 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 Ms. T. Cavalier.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: K. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED BY: Mr. A. Tillman.

ORDINANCE NO. 7824

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT FOR LEASE OF PARISH PROPERTY BETWEEN TPCG AND VIRGIA AND JAMES BEACH

WHEREAS, the Terrebonne Parish Consolidated Government (“TPCG”) received a ten million dollar grant from the FEMA Hazard Mitigation Grant Program in January of 2003; and

WHEREAS, TPCG is in the process of the “buy-back” portion of the program and has purchased several different properties in Terrebonne Parish; and

WHEREAS, FEMA imposes stringent deed restrictions consistent with their “open space” philosophy on the property obtained by TPCG through the grant monies; and

WHEREAS, TPCG requires assistance in the healthy and sanitary maintenance of these properties and to assure that the use of the property remains consistent with FEMA requirements; and

WHEREAS VIRGIA AND JAMES BEACH desires to lease the property subject to maintenance requirements and FEMA restrictions; and

WHEREAS, TPCG and VIRGIA AND JAMES BEACH believe that entering into this Cooperative Endeavor Lease Agreement will serve a public purpose and have a public benefit commensurate with the cost;

NOW, THEREFORE BE IT ORDAINED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to negotiate and to execute a Cooperative Endeavor Lease Agreement with VIRGIA AND JAMES BEACH containing substantially the same terms as those set out in the aforementioned agreement.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Voisin.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

- D. A proposed ordinance to declare the entire north side of T. Baker Street, from Ruth Street to Williams Avenue, as a “No Parking” zone

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

Mr. J. Pizzolatto 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. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: K. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. A. Tillman.

ORDINANCE NO. 7825

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 18, ARTICLE IV. OPERATION OF VEHICLES, AND ARTICLE V, STOPPING, STANDING AND PARKING, DIVISION 3. CITY, SECTION 18-247 TO ESTABLISH A "NO PARKING" ZONE ON THE ENTIRE NORTH SIDE OF T. BAKER STREET FROM RUTH STREET TO WILLIAMS AVENUE; TO AUTHORIZE THE INSTALLATION OF THE APPROPRIATE 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 Ordinance No. 7775 and the Parish Code of Terrebonne Parish, Chapter 18, Article V, and appropriate Section to establish a "No Parking Zone" on the entire North side of T. Baker Street from Ruth Street to Williams Avenue, as follows:

CHAPTER 18, Motor Vehicles and Traffic  
ARTICLE V, Stopping, Standing and Parking  
DIVISION III, City  
SECTION 18-247, "No Parking Zones"

The entire North side of T. Baker Street from Ruth Street to Williams Avenue shall be declared as a "No Parking" zone, and appropriate "No Parking" signs shall be installed along the above named roadway and maintained along said roadway. Any vehicles traveling on T. Baker Street 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, C. Voisin, J. Cehan, and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: K. Voisin.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

- E. A proposed ordinance to establish a “3-Way Stop” at the intersection of Woodburn Drive and Charenton Street, and to authorize the installation of said signs

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

Mr. B. Hebert moved, seconded by Mr. C. Voisin, “THAT, the Council close the aforementioned public hearing.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: K. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. B. Hebert.

SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 7826

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 “3 WAY STOP INTERSECTION” AT THE INTERSECTION OF WOODBURN DRIVE AND CHARENTON STREET, 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 “3 Way Stop intersection” at the intersection of Charenton Street and Woodburn Drive as follows:

CHAPTER 18, Motor Vehicles and Traffic  
ARTICLE IV, Operation of Vehicles  
DIVISION II, Parish  
SECTION 18-, “3 Way Stop Intersection”

The intersection of Woodburn Drive and Charenton Street shall be declared as a “3 Way Stop” intersection, and appropriate “3 Way Stop” signs shall be erected and maintained along said roadways. Any vehicle traveling on Woodburn Drive and/or Charenton Street 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, C. Voisin, J. Cehan, and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: K. Voisin.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

- F. A proposed ordinance to rescind the existing “10 Ton Weight Limit” on Woodlawn Ranch Road

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

Mr. C. Voisin moved, seconded by Mr. J. Cehan and Mr. P. Lambert, “THAT, the Council close the aforementioned public hearing.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert and Mr. J. Cehan.

ORDINANCE NO. 7827

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 18, ARTICLE II. PARISH, SECTION 18-27 TO RESCIND THE EXISTING “10 TON WEIGHT LIMIT” ON THE ENTIRETY OF WOODLAWN RANCH ROAD, AND TO AUTHORIZE THE REMOVAL OF THE EXISTING 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 II, and appropriate Section to rescind the existing "10 Ton Weight Limit" on the entirety of Woodlawn Ranch Road as follows:

CHAPTER 18, Motor Vehicles and Traffic  
ARTICLE II, Parish  
SECTION 18-27, "10 TON WEIGHT LIMIT"

The existing "10 Ton Weight Limit" on the entirety of Woodlawn Ranch Road shall be rescinded, and the existing "10 Ton Weight Limit" signs shall be removed from along said roadway.

SECTION II

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

SECTION III

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

SECTION IV

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

G. A proposed ordinance to create a "No Wake Zone" in Bayou Little Caillou for a distance of 500 feet on both approaches to 7681 Highway 56 (Trade Winds Marina)

The Chairwoman recognized Mr. Gerald Schouest, East Park Avenue resident, who expressed his concerns relative to "No Wake Zones" not indicating how long they are with exiting "No Wake Zones" signs.

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

Mr. J. Pizzolatto moved, seconded by Mr. P. Lambert, "THAT, the Council close the aforementioned public hearing." \*(MOTION VOTED ON AFTER BRIEF DISCUSSION.)

Vice-Chairman C. Voisin requested the matter of how to determine the end of "No Wake Zones" be forwarded to the Port Commission for review.

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

UPON ROLL CALL THERE WAS RECORDED:

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

OFFERED BY: Mr. J. Cehan.  
 SECONDED BY: Mr. P. Lambert.

ORDINANCE NO. 7828

AN ORDINANCE TO AMEND THE PARISH CODE OF TERREBONNE PARISH BY ADDING TO CHAPTER 22: ROADS, BRIDGES, WATERCOURSES AND DRAINAGE, ARTICLE IX: BOATS AND WATERWAYS, AND TO ADD A SECTION UNDER THE SAID ARTICLE TO BE DESIGNATED AS SECTION 22-227: TO ESTABLISH A "NO WAKE ZONE" IN BAYOU LITTLE CAILLOU FOR A DISTANCE OF 500 FT. ON EACH SIDE OF 7681 HIGHWAY 65 (TRADE WINDS MARINA), FOR A TOTAL DISTANCE OF 1,000 FEET; TO AUTHORIZE THE INSTALLATION OF SAID SIGNS AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

#### SECTION I

BE IT ORDAINED, by the Terrebonne Parish Council, regular session convened and on behalf of the Terrebonne Parish Consolidated Government, that the Parish Code of Terrebonne Parish be amended by adding to Chapter 22: Roads, Bridges, Watercourses and Drainage Article IX: Boats and Waterways, Division 1: Generally, and by adding to the said Article a section to be designated as Section 22-227: To establish a "No Wake Zone" in Bayou Little Caillou for a distance of 500 ft. on each side of 7681 Highway 56 (Trade Winds Marina), for a total distance of 1,000 ft., as follows:

CHAPTER 22: ROADS, BRIDGES, WATERWAYS AND DRAINAGE  
 ARTICLE IX: BOATS AND WATERWAYS  
 DIVISION 1: GENERALLY  
 SECTION 22-227: NO WAKE (5 MPH) ZONES

That portion of Bayou Little Caillou, for a distance of 500 ft. on each side of 7681 Highway 56 (Trade Winds Marina), for a total distance of 1,000 ft., is hereby designated as a No Wake Zone and appropriate "No Wake Zone" signs shall be erected and maintained along the said waterway to create and maintain said vessel control. Any marine vessel traveling in Bayou Little Caillou, in the above-mentioned location, shall respect the signs erected and maintained under the provisions of this section.

#### SECTION II

If any section, part, paragraph, sentence, or clause of this ordinance should be declared invalid or unenforceable, such invalidity or defect shall not affect the remaining sections, paragraphs, parts, sentences or clauses hereof and, to this end, the several provisions hereof are hereby declared to be severable.

#### SECTION III

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

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

THERE WAS RECORDED:

YEAS: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, C. Voisin, J. Cehan, and P. Lambert.  
 NAYS: None.

ABSTAINING: None.

ABSENT: K. Voisin.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

H. A proposed ordinance to amend the Zoning Ordinance, Chapter 28, Section 28-74(h), Supplementary Yard Regulations, to change the required height of a “buffer fence” from eight feet to six feet

The Chairwoman recognized Mr. Tommy Lyons, Crescent Boulevard resident, who expressed his concerns relative to whether the proposed change would not allow eight foot fences to provide buffer zones when it may be necessary.

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

Mr. C. Voisin moved, seconded by Mr. B. Hebert and Mr. J. Cehan, “THAT, the Council close the aforementioned public hearing.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: K. Voisin

The Chairwoman declared the motion adopted.

Upon questioning by Councilman J. Pizzolatto, Planning & Zoning Director P. Gordon stated that the proposed fence buffer height change was brought up when the shrubbery buffer was taken out. He said it was determined that an eight foot fence needs to be engineered and the Council’s Subdivision Regulation Review, as well as the Planning Commission, would be acceptable.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. J. Cehan and Mr. B. Hebert.

ORDINANCE NO. 7829

AN ORDINANCE TO AMEND THE ZONING ORDINANCE, SECTION 28-74(H), SUPPLEMENTARY YARD REGULATIONS, TO CHANGE THE REQUIRED HEIGHT OF A BUFFER FENCE FROM EIGHT (8) FEET TO SIX (6) FEET PER “ATTACHMENT A.”

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne Parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, to amend the Zoning Ordinance, Section 28-74(h), Supplementary Yard Regulations, to change the required height of a buffer fence from eight (8) feet to six (6) feet.

SECTION II

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

## SECTION III

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Voisin.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

## ATTACHMENT A

## BUFFER SCREENING HEIGHT REQUIREMENT

Proposal:

Revise Sec. 28-74(h) "Supplementary yard regulations" as shown below:

(h) *Buffer protection.* Wherever the boundary of a residential district is coterminous with the boundary of a commercial or industrial district and residential lots abut commercial or industrial lots, there shall be provided and maintained on the commercial or industrial land abutting the residential district a brick, wood, or vinyl fence, which is at least ~~eight (8)~~ six (6) feet in height and obstructs view, the design and specifications of which shall be subject to the approval of the zoning administrator. However, if the boundary of a residential use is expanded or a new residential use is created coterminous with an existing commercial or industrial district or use, it will be the responsibility of the residential developer to construct the buffer protection as part of the development at his own expense.

\*\*\*\*\*

The Chairwoman recognized the public for comments on the following:

- I. A proposed ordinance to create a "No Parking" zone on the left side of both travel lanes on that portion of Crescent Boulevard between Barrow and Lafayette Streets

The Chairwoman recognized Mr. Tommy Lyons, Crescent Boulevard resident and owner of rental property on Crescent Boulevard, who expressed his concerns relative to the proposed "No Parking" zone and suggested that the neighborhood watch committee work with the Planning Department to establish current assessments of the neighborhood and long term needs regarding traffic, public safety, parking, buffer zones, and commercial properties intruding on residential properties.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, "THAT, the Council extend Mr. Tommy Lyon's time one additional minute."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. Tommy Lyons continued his comments regarding his opposition to the proposed “No Parking” on Crescent Boulevard at this time.

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Ms. T. Cavalier.

ORDINANCE NO. 7830

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 18, ARTICLE IV. OPERATION OF VEHICLES, AND ARTICLE V, STOPPING, STANDING AND PARKING, DIVISION 3. CITY, SECTION 18-247 TO ESTABLISH A “NO PARKING” ZONE ON THE LEFT SIDE OF BOTH TRAVEL LANES ON THAT PORTION OF CRESCENT BOULEVARD BETWEEN BARROW STREET AND LAFAYETTE STREET; TO AUTHORIZE THE INSTALLATION OF THE PROPER 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 Ordinance No. 7775 and the parish Code of Terrebonne Parish, Chapter 18, Article V, and appropriate Section to establish a “No Parking” zone on the left side of both travel lanes on that portion of Crescent Boulevard between Barrow Street and Lafayette Street, as follows:

CHAPTER 18, Motor Vehicles and Traffic

ARTICLE V, Stopping, Standing and Parking

DIVISION III, City

SECTION 18-247, “No Parking Zones”

The left side of both travel lanes on that portion of Crescent Boulevard between Lafayette Street and Barrow Street shall be declared as a “No Parking” zone, and appropriate “No Parking” signs shall be installed on the above named roadway and maintained along said roadway. Any vehicles traveling on Crescent Boulevard 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: A. Tillman, A. Williams, B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, and P. Lambert.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

\*Mr. J. Pizzolatto offered a substitute motion, seconded by Mr. K. Voisin, "THAT, the Council defer action on the proposed ordinance establishing a "No Parking Zone" on a portion of Crescent Boulevard and that the Planning Department be requested to perform an assessment of the neighborhood and long term needs regarding traffic, public safety, parking, buffer zones, and commercial properties intruding on residential properties."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: J. Pizzolatto and K. Voisin

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

ABSENT: None

The Chairwoman declared the motion adopted.

Chairwoman A. Williams acknowledged that Mr. Jerome Zeringue with the Governor's Office of Coastal Restoration was present at the meeting.

Chairwoman A. Williams relinquished the Chair to Vice-Chairman C. Voisin.

The Vice-Chairman recognized the public for comments on the following:

- J. A proposed ordinance to rezone property described as Tract A-B-C-D-A in the possession of the Estate of Isaac Newton, Section 6, T17S-R17E, Smith Lane, Willie Newton, applicant, from R-1 (Single-Family Residential District) to C-2 (General Commercial District) (Zoning Commission recommends approval)

The Vice-Chairman recognized Ms. Diane Collins, Smith Lane resident, who expressed her support in the request to rezone property on Smith Lane to allow Mr. Willie Newton to continue his business.

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

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Councilwoman A. Williams stated that the proposed rezoning will allow for a business which has been in existence for 30+ years to move from one side of the street to another.

Councilwoman T. Cavalier stated she has been contacted by neighbors adjoining the rear of the proposed rezoning who are opposed to it.

Councilwoman A. Williams stated there is currently a church, bar, and barbershop on the street, as well as the Mr. Newton's vault company, and the rezoning will move the vault company away from the adjoining neighbor.

Upon questioning by Councilman K. Voisin, Planning & Zoning Director P. Gordon stated that the Planning Department recommended approval of the rezoning based on that it was a non-conforming use in a residential area, had been there for years, and would move down a few lots down and across the street. He stated that when the matter went to the Planning Commission, there were some people who came in opposition as well as those who came in support. The Planning Commission chose to make a recommendation to the Council to deny the application.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman and Mr. K. Voisin.

#### ORDINANCE NO. 7831

AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-2 (GENERAL COMMERCIAL DISTRICT), TRACT A-B-C-D-A IN THE POSSESSION OF THE ESTATE OF ISAAC NEWTON, SECTION 6, T17S-R17E, SMITH LANE, TERREBONNE PARISH, LOUISIANA; WILLIE NEWTON, APPLICANT.

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

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, has conducted a public hearing on Wednesday, May 26, 2010; and

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

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Zoning Map of the Parish of Terrebonne be hereby amended so as to rezone from R-1 (Single-Family Residential District) to C-2 (General Commercial District), Tract A-B-C-D-A in the possession of the Estate of Isaac Newton, Section 6, T17S-R17E, Smith Lane, Terrebonne Parish, Louisiana.

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

THERE WAS RECORDED:

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

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

ABSTAINING: None.

ABSENT: None.

The Vice Chairman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Vice-Chairman recognized the public for comments on the following:

K. A proposed ordinance to rezone property described as 4.673 and 10.088 acres tracts belonging to Matherne Realty Partnership, et als, Section 101, T17W-R17E, 4600 block of Highway 311, Matherne Realty Partnership Applicant, from R-1 (Single-Family Residential)

to R-3 (Multi-Family Residential District) and C-3 (General Commercial District) (Zoning Commission recommends approval)

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

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

NAYS: None

ABSENT: J. Pizzolatto

The Vice-Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7832

AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT) AND C-3 (NEIGHBORHOOD COMMERCIAL DISTRICT), 4.673 AND 10.088 ACRE TRACTS BELONGING TO MATHERNE REALTY PARTNERSHIP, ET ALS, SECTION 101, T17S-R17E, 4600 BLOCK OF HWY. 311, TERREBONNE PARISH, LOUISIANA; MATHERNE REALTY PARTNERSHIP, APPLICANT.

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

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, has conducted a public hearing on Wednesday, May 26, 2010; and

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

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Zoning Map of the Parish of Terrebonne be hereby amended so as to rezone from R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District) and C-3 (Neighborhood Commercial District), 4.673 and 10.088 acre tracts belonging to Matherne Realty Partnership, et als, Section 101, T17S-R17E, 4600 block of Hwy. 311, Terrebonne Parish.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: J. Pizzolatto.

The Vice Chairman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

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The Vice-Chairman recognized the public for comments on the following:

- L. A proposed ordinance to rezone property described as Lot 13, Block 1, Imperial Park Subdivision, 4852 Imperial Drive, from O-L (Open Land) to R-1 (Single-Family Residential District), Fritz and Denise Dryden applicants (Zoning Commission recommends approval)

The Vice-Chairman recognized Mr. Fritz Dryden, Imperial Drive resident, who stated he was present to answer any questions the Council might have.

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

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

#### ORDINANCE NO. 7833

AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM O-L (OPEN LAND) TO R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT), LOT 13, BLOCK 1, IMPERIAL PARK SUBDIVISION, 4852 IMPERIAL DRIVE, TERREBONNE PARISH, LOUISIANA; FRITZ & DENISE DRYDEN, APPLICANTS.

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

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, has conducted a public hearing on Wednesday, May 26, 2010; and

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

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Zoning Map of the Parish of Terrebonne be hereby amended so as to rezone from O-L (Open Land) to R-1 (Single-Family Residential District), Lot 13, Block 1, Imperial Park Subdivision, 4852 Imperial Drive, Terrebonne Parish, Louisiana.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: J. Pizzolatto.

The Vice Chairman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Chairwoman A. Williams resumed the Chair.

The Chairwoman recognized the public for comments on the following:

M. A proposed ordinance to rescind Ordinance No. 7768 (moratorium on any construction of subdivision infrastructure, including streets, waterlines, etc. and on the issuance of any building permits which increase direct and indirect storm water flow in the CCC ditch in the 1-1-B Force Drainage Project area)

The Chairwoman recognized Mr. David Bergeron, Sugar Bend Street, who expressed his concerns relative to a permit the Parish had for twenty years to clean ditches being allowed to expire without work being done. He expressed his concerns for lifting the moratorium when nothing has been done to alleviate the problem it was put in place to solve.

Ms. T. Cavalier moved, seconded by Mr. A. Tillman, "THAT, the Council extend Mr. David Bergeron's time an additional minute."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Mr. David Bergeron continued his comments relative to his opposition to lifting the moratorium that was put in place when nothing has been done to address the drainage problems.

The Chairwoman recognized Mr. Matt Whitney, Sugar Trail Street resident, who had pictures displayed of the street flooding in Southern Estates Subdivision in December 2009.

The Chairwoman recognized Mr. Clark Cenac, Darlene Street resident, who stated that the CCC ditch runs through his property and he stated that it was the first time in thirty years there was about three foot of water on the road and he could not get to his house. He agreed the ban on construction should remain until something could be done with the CCC ditch.

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

Ms. T. Cavalier moved, seconded by Mr. J. Pizzolatto and Mr. A. Tillman, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Councilwoman T. Cavalier gave a brief history of the CCC ditch and how it became a drainage artery for all the new development occurring in the area increasing the drainage problems. She stated that the moratorium was put into place to let the residents in the area know their concerns are being heard and there is a need to alleviate drainage problems. She requested that the moratorium remain in place.

Parish Manager A. Levron stated that Administration committed to begin immediately working with in-house crews on a major connection between the CCC Ditch and the St. Louis Canal in the area of Linda Ann Street, which a lot of that work has been accomplished. He stated there was a subsequent contract designed for the replacement of culverts in the Linda Ann and the CCC Ditch area, which has been let. It was expected that the permit would be an extension so as to not have any interruption in work. He stated that although it is not affecting the authorization to proceed on the culvert work on the Linda Ann ditches or two of the bridges along the CCC Ditch, there is some impact on one of the culvert crossings. With respect to the permit, the permit application has been submitted to the Corps of Engineers, with the expectation

it would be a traditional renewal, but there are some concerns about encroaching further into wetlands, so the engineering firm has been authorized to conduct additional wetland jurisdictional determination in the area of the CCC Ditch. He further stated that in the same corridor culvert improvements were done on Roy Street and on Coteau Road there were some undersized culverts that were removed and land rights are aggressively being worked on. He stated that there has been several debris removal contracts to remove debris from the St. Louis Canal system and the CCC Ditch sponsored by the Natural Resources Conservation Service. He stated that work has been done to address the drainage problems, but there is a lot of work left to be done.

A lengthy discussion ensued relative to whether the moratorium on development that will affect the CCC Ditch in the 1-1-B Forced Drainage Project area should be lifted or left in place.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 7834

AN ORDINANCE TO REVOKE ORDINANCE NUMBER 7768 REGARDING THE CCC DITCH MORATORIUM; 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, the Terrebonne Parish Consolidated Government has authority and police power to do all things necessary to effect proper drainage; and

WHEREAS, the Council of the Terrebonne Parish Consolidated Government in response to concerns about drainage issues from storm water flow into the CCC Ditch in the 1-1B Forced Drainage Project area enacted the CCC Ditch moratorium and reviewed the hydrological model of the entire 1-1B System prepared by T. Baker Smith to determine the system's weaknesses and to charter a course to improve the system; and

WHEREAS, cognizant of its duty to safeguard the health, safety, and welfare of the citizens of Terrebonne Parish and in a considered effort to relieve constraints within the 1-1B System, the Terrebonne Parish Consolidated Government has not only initiated Parish Project 01-DRA-40/ Forced Drainage Project 1-1B Phase 3 CCC Ditch Improvements at Major Crossings in the CCC Ditch drainage area but has also authorized three additional 01-DRA-40 projects totaling an estimated cost of over four million dollars of drainage infrastructure improvements within the 1-1B System which projects include 1-1B F.D. Channel Improvements-Phase 1C, 1-1B F.D. Channel Improvements-Phase 1D-Revised and 1-1B F.D. Channel Improvements-Phase 3A; and

WHEREAS, in consideration of the implementation of design work/projects and the initiation of ongoing projects to improve the 1-1B System, the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government desires to lift the moratorium enacted by Ordinance Number 7768; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Terrebonne Parish Consolidated Government as follows:

SECTION 1: The Council of Terrebonne Parish Consolidated Government hereby revokes Ordinance Number 7768 in its entirety.

SECTION 2: All other portions of the Terrebonne Parish Code of Ordinances shall remain the same.

SECTION 3: If any provision or item of this ordinance, or the application thereof, is held invalid, such invalidity shall not affect any other provisions, items or applications of this ordinance which can be given effect apart from and/or without the invalid provisions, items or applications, and to this end, the provisions, items or applications, or this ordinance are hereby declared severable.

SECTION 4: This ordinance shall have application to all persons.

SECTION 5: This ordinance shall become effective upon signing of the Parish President or, if not signed by the Parish President, in accordance with Sections 2-12 and 2-13 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: B. Hebert, J. Pizzolatto, C. Voisin, J. Cehan, and P. Lambert.

NAYS: A. Tillman, A. Williams, T. Cavalier and K. Voisin.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 26<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairwoman recognized the public for comments on the following:

- N. A proposed ordinance to amend the 2010 Adopted Operating Budget of the Terrebonne Parish Consolidated Government for a FEMA refund pending obligations for derelict vessel removals

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

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council continue until 6/9/10, the public hearing on the proposed ordinance to amend the 2010 Budget for a FEMA refund pending obligations for derelict vessel removals."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Mr. Tyrone Turner, Sr., Ashlawn Street resident, who expressed his concerns relative to flooding and sidewalk problems in the Roselawn Subdivision and surrounding streets. He presented the Council with a petition from the residents in the area requesting that the problems be addressed.

Councilman A. Tillman stated he will take the petition submitted under advisement. He explained that he believes that when there is not a storm affecting Terrebonne Parish and under normal circumstances, the community he is talking about does not have a flooding issue. He explained steps that were taken to address the drainage problems in the area. He stated that Mr. Turner has never contacted him about concerns in the area other than a piece of property that Mr. Turner wanted to have condemned. He stated that now it is the property owner's responsibility, not the Parish, to have the debris from the condemned house removed from the side of the road. He expressed his concerns relative to Mr. Turner not being totally honest about the petition he passed around to the residents. He stated he will continue to work towards better drainage in that community, like he has in the past.

Chairwoman A. Williams relinquished the Chair to Vice-Chairman C. Voisin.

The Vice-Chairman recognized Mr. Matt Whitney, Sugar Trail Street resident, who asked the following questions: 1) How far the CCC Ditch was in progress when the permit expired? 2) Is it true Terrebonne Parish considered an engineering firm to monitor outstanding permits, but decided against it because the Parish considered the fees too high? 3) What action was taken when the Parish Manager received an email from an engineering firm in December 2009 and why wasn't the permit attempted to be extended or apply for another one? 4) Was it the Parish Manager's responsibility to oversee the permits? 5) Was an engineering firm ever asked to monitor the permits?

Parish Manager A. Levron acknowledged that the Parish is responsible for maintaining its permits, but there are contracts with firms to handle the design permitting requirements to administer projects and it was under the belief that such a contract was in place. He stated that he doesn't know if it was ever considered to hire an engineering firm to manage all permits. He said if there is anything he does answer he would be glad to respond in writing.

Councilman K. Voisin stated that he plans to place the lapse in permit at the next set of committee meetings.

The Vice-Chairman recognized Mr. Bertrand Brooks, Ashland Drive resident, who expressed his concerns relative to him being on the list for assistance for the buy-out/elevation program for three years. He said his home has flooded twice. He stated that the Parish received \$77,700,000. in funding from the federal government in 2009, but he was told he could not receive any of that funding to assist him with his home.

Parish President M. Claudet stated he has met with Mr. Brooks and has been referred to the Planning Department. He stated he is sorry that Mr. Brooks did not have the ability to receive ICC funds. He stated that the HMGP funds have programs which are always being worked on and attempts are being made in hopes for additional HMGP funds from the federal government. He stated that there are other people on the waiting list that have been waiting patiently and it is intended to address everyone who is on the waiting list. He also stated that the engineering has been proceeded with for the levee behind Mr. Brooks' residence that will go all the way from the Post Office to Thompson Road Extension. He apologized that it is not happening more quickly.

Chairwoman A. Williams resumed the Chair.

Upon questioning by Councilman C. Voisin, Planning & Zoning Director P. Gordon stated that Mr. Brooks' application is being addressed as quickly as possible. He stated that Mr. Brooks applied for an SBA loan, but was rejected. He could have applied for Road Home Funding, but because he applied for SBA he couldn't apply for Road Home. He stated that Mr. Brooks has been placed on both the buy-out and elevation programs lists and whatever comes available will be offered to him.

The Chairwoman recognized Mr. Reggie Bourg, Bourg resident, who expressed his concerns relative to how BP and the Coast Guard spoke to the Council about the oil spill and his belief the Parish needing to take the situation into its own hands. He expressed his concerns relative the Parish receiving \$5,000,000 of Ike/Gustav Disaster funds for Summerfield when

people in the rural areas of the Parish have not received any funds to help them with housing. He expressed his concerns relative to the public not being informed of how Community Development programs work and what is available to them. He stated that the Southern rural areas of the Parish do not have a Head Start Program or the bus service and feels it is not fair.

The Chairwoman called for a report on the Public Services Committee meeting held on 5/24/10, whereupon the Committee Chairman, noting that ratification of the minutes calls a public hearing on 6/9/10, rendered the following:

**PUBLIC SERVICES COMMITTEE**

**MAY 24, 2010**

The Chairman, Joey Cehan, called the Public Services Committee meeting to order at 5:30 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by 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, K. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

**RESOLUTION NO. 10-237**

A resolution authorizing Change Order No. 2 to the Agreement between Owner and Contractor for the Project No. 08-LEV-45, Industrial Boulevard (Chabert Medical Center) Drainage Facilities and Levee Project.

WHEREAS, the Terrebonne Parish Consolidated Government did enter into a contract with Byron E. Talbot Contractor, Inc., dated August 20, 2009 and recorded under Entry No.1329969 for Project No. 08-LEV-45, Industrial Boulevard (Chabert Medical Center) Drainage Facilities and Levee Project, and

WHEREAS, this change order has been recommended as required by right-of-way agreements with property owners that upon completion of the project two additional gates and fence would be installed as described on the attached Change Order No. 2 (Balancing) for the above reference project, and

WHEREAS, this change order is necessary in order to increase the overall contract price by \$4,874.00, and

WHEREAS, the Engineer for this project, GSE Associates, LLC recommends this Change Order No. 2 (Balancing), and

NOW, THEREFORE BE IT RESOLVED that Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the Parish President Michel Claudet, to execute this Change Order No. 2 (Balancing) to the construction agreement with Byron E. Talbot Contractor, Inc. for Parish Project No. 08-LEV-45, Industrial Boulevard (Chabert Medical Center), Drainage Facilities and Levee Project, Terrebonne Parish, Louisiana for an increase in the amount of Four Thousand, Eight Hundred Seventy-Four Dollars and No Cents (\$4,874.00) to the contract amount as described on Change Order No. 2 (Balancing), and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, GSE Associates, LLC.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-238

A resolution authorizing the execution of Change Order No. 2 for the Construction Agreement for Parish Project No. 09-BLDG-28, Emergency Generator Connections for Government Tower, Court House, Court House Annex, and City Hall, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated March 30, 2010, with Hi Tech Electric, Inc. of Delaware, for the Parish Project No. 09-BLDG-28, Emergency Generator Connections for Government Tower, Court House, Court House Annex, and City Hall, Terrebonne Parish, Louisiana, and

WHEREAS, TPCG is desirous of the proposed changes in Change Order No. 2, and

WHEREAS, this change order will decrease the contract by \$2,607.00, and

WHEREAS, this change order will modify the existing electrical service to establish emergency generator point of connection for the Government Tower, and

WHEREAS, this change Order No. 2 has been recommended by the Engineer, GSE Associates, LLC 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. 2 to the construction agreement with Hi Tech Electric, Inc. of Delaware, to perform construction services for Parish Project No. 09-BLDG-28, Emergency Generator Connections for Government Tower, Court House, Court House Annex, and City Hall, for a decrease in contract amount in the amount of Two Thousand, Six Hundred Seven Dollars and No Cents (\$2,607.00) as described on Change Order No. 2, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, GSE Associates, LLC.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-239

A resolution authorizing the execution of Change Order No. 3 (Balancing and Final) to the Construction Agreement for Parish Project No. 05-ECD-11, FPC Project No. 50-J55-04-01, Bayou Terrebonne Bayouwalk, Enhancement Project, Phase I - Contract II, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a construction agreement dated June 24, 2009 with Sealevel Construction, Inc., Recordation Number 1325489 for Parish Project No. 05-ECD-11, FPC Project No. 50-J55-04-01, Bayou Terrebonne Bayouwalk, Enhancement Project, Phase I - Contract II, Terrebonne Parish, Louisiana, and

WHEREAS, this Change Order has been recommended so as to adjust the estimated contract item quantities and to add additional contract item for completion of the project described on the attached Change Order No. 3 (Balancing and Final) for the above referenced project, and

WHEREAS, this change order will add forty-one (41) calendar days to the contract as a result of Change Order No. 3 (Balancing and Final), and

WHEREAS, this change order is necessary in order to increase the overall contract price by \$16,937.10, and

WHEREAS, this Change Order No. 3 (Balancing and Final) had been recommended by the Engineer, GSE Associates, LLC, 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. 3 (Balancing and Final) to the construction agreement with Sealevel Construction, Inc. for Parish Project No. 05-ECD-11, FPC Project No. 50-J55-04-01, Bayou Terrebonne Bayouwalk Enhancement Project, Phase I - Contract II, Terrebonne Parish, Louisiana for an increase in the amount of Sixteen Thousand, Nine Hundred Thirty-Seven Dollars and Ten Cents (\$16,937.10) to the contract amount as described on Change Order No. 3 (Balancing and Final), and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, GSE Associates, LLC

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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RESOLUTION: Providing approval of Amendment No. 6 to the engineering agreement with T. Baker Smith, Inc. for the Modeling & Improvements of 1-1B Forced Drainage System Channels Project.

Mr. B. Hebert moved, seconded by Mr. C. Voisin.

(\*\*SUBSTITUTE MOTION ADOPTED IMMEDIATELY)

Ms. T. Cavalier moved, seconded by Mr. A. Tillman, "THAT, the Public Services Committee retain for two weeks the matter relative to approving Amendment No. 6 to the engineering agreement with T. Baker Smith, Inc. for the modeling & improvements of 1-1B Forced Drainage System Channels Project."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: B. Hebert.

ABSENT: None.

The Chairman declared the motion adopted.

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

RESOLUTION NO. 10-240

A resolution ratifying the appointment of the engineering firm of Glenn G. Shaheen & Associates Inc., to provide engineering services for the Buquet Street Drainage Improvements Project; and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to obtain CDBG funding for Buquet Street Drainage Improvements (CDBG) Project, and

WHEREAS, the engineering firm of Glenn G. Shaheen & Associates Inc., has been selected through the Request for Qualifications process to provide the required services for the Buquet Street Drainage Improvements (CDBG) Project; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council does hereby ratify the appointment of the engineering firm of Glenn G. Shaheen & Associates Inc., by Terrebonne Parish President Michel Claudet for professional engineering services for the Buquet Street Drainage Improvements (CDBG) Project; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of Glenn G. Shaheen & Associates Inc., by Terrebonne Parish President Michel Claudet, for the Buquet Street Drainage Improvements (CDBG) Project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. C. Voisin.  
SECONDED BY: Mr. P. Lambert and Ms. A. Williams.

RESOLUTION NO. 10-241

A resolution ratifying the appointment of the engineering firm of GSE Associates, LLC, to provide engineering services for the Shrimper's Row Pump Station Project; and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to obtain CDBG funding for Shrimper's Row Pump Station (CDBG) Project, and

WHEREAS, the engineering firm of GSE Associates, LLC, has been selected through the Request for Qualifications process to provide the required services for the Shrimper's Row Pump Station (CDBG) Project; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby ratify the appointment of the engineering firm of GSE Associates, LLC, by Terrebonne Parish President Michel Claudet for professional engineering services for the Shrimper's Row Pump Station (CDBG) Project; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the

Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of GSE Associates, LLC, by Terrebonne Parish President Michel Claudet, for the Shrimper's Row Pump Station (CDBG) Project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Parish Manager Al Levron explained that previously the Community Development Block Grant (CDBG) Action Plan was approved and included various levee projects; the Cedar Grove Levee extends from Ashland south to the St. Louis Canal onto the project area for the Lake Boudreaux Freshwater Diversion Project. He continued that the Cedar Grove Levee Project was broken into the Levee Project and the Pump Station Project. Mr. Levron noted that the Cedar Grove Pump Station Project is being considered this evening and that Krebs, LaSalle, LeMieux Consultants, Inc. is also performing services on Island Road.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-242

A resolution ratifying the appointment of the engineering firm of Krebs, LaSalle, LeMieux Consultants, Inc., to provide engineering services for the Cedar Grove Pump Station Project; and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to obtain CDBG funding for Cedar Grove Pump Station (CDBG) Project, and

WHEREAS, the engineering firm of Krebs, LaSalle, LeMieux Consultants, Inc., has been selected through the Request for Qualifications process to provide the required services for the Cedar Grove Pump Station (CDBG) Project; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby ratify the appointment of the engineering firm of Krebs, LaSalle, LeMieux Consultants, Inc., by Terrebonne Parish President Michel Claudet for professional engineering services for the Cedar Grove Pump Station (CDBG) Project; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of Krebs, LaSalle, LeMieux Consultants, Inc., by Terrebonne Parish President Michel Claudet, for the Cedar Grove Ump Station (CDBG) Project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 10-243

A resolution ratifying the appointment of the engineering firm of Shaw Coastal, Inc., to provide engineering services for the Cedar Grove Water Control Structure (CDBG) Project; and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to obtain CDBG funding for Cedar Grove Water Control Structure (CDBG) Project, and

WHEREAS, the engineering firm of Shaw Coastal, Inc., has been selected through the Request for Qualifications process to provide the required services for the Cedar Grove Water Control Structure (CDBG) Project; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby ratify the appointment of the engineering firm of Shaw Coastal, Inc., by Terrebonne Parish President Michel Claudet for professional engineering services for the Cedar Grove Water Control Project (CDBG) Project; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of Shaw Coastal, Inc., by Terrebonne Parish President Michel Claudet, for the Cedar Grove Water Control Structure (CDBG) Project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Parish Manger Al Levron stated that the aforementioned project is located in St. Louis Canal near the boat launch. He added that the intent is to have a water control structure at the site that can be opened and closed.

Committee Member C. Voisin requested consideration with respect to drainage issues from the Woodlawn Pump Station south through Bayou Grand Caillou to the St. Louis Canal. He requested that the water be diverted from said area to the Lake Boudreaux Basin.

In response to questioning, Mr. Levron stated that the aforementioned channel would be opened at all times with the exception of storm events; that GSE, Inc. has been engaged with permitting the dredging of Bayou Grand Caillou to St. Louis Canal; that the final plans and specifications have been delivered; and that Administration is attempting to acquire CDBG approval.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-244

A resolution approving Change Order No. 1 to the Vessel / Wreck Debris Removal and Disposal and Marine Debris Removal and Disposal contract with DRC Emergency Services, LLC.

WHEREAS, the Terrebonne Consolidated Government entered into an contract with DRC Emergency Services, LLC dated July 31, 2009 for Vessel / Wreck Debris Removal and Disposal and Marine Debris Removal and Disposal, and

WHEREAS, removal and disposal of three additional vessels has been determined to be eligible for reimbursement by FEMA, and

WHEREAS, DRC Emergency Services, LLC has presented proposals to perform related work, and

WHEREAS, the Utilities Department recommends favorable consideration of this Change Order No. 1 to the Vessel / Wreck Debris Removal and Disposal and Marine Debris Removal and Disposal contract.

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve Change Order No. 1 to the Vessel / Marine Debris Removal and Disposal Contract with DRC Emergency Services, LLC resulting in an increase of \$96,700.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Utilities Tom Bourg explained that the Oyster Bayou Barge has one of the highest costs due to it being omitted in the original scope of work; the Department of Natural Resources had indicated that it would handle the vessel, but failed to handle the matter; and that Administration is recommending adding the barge to the Parish's contract.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams and Mr. J. Pizzolatto.

RESOLUTION NO. 10-245

A resolution authorizing the Utilities Department to contract with SWDI, LLC for Large Refuse Container Service.

WHEREAS, proposals were received by the Terrebonne Parish Consolidated Government, Department of Utilities, Solid Waste Division on May 4, 2010 for Large Refuse Container Service, and

WHEREAS, after careful review by the department, it has been determined that the lowest quotation received was that of SWDI, LLC and

WHEREAS, the Utilities Department recommends SWDI be retained for this service, and

WHEREAS, the Finance Department has verified that funds are budgeted and available for this purpose, and

WHEREAS, the Parish Administration concurs with the department's recommendation.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government that a contract with SWDI, LLC to provide Large Refuse Container Services in accordance with their May 4, 2010 proposal for same be, and is hereby authorized.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Utilities Director Tom Bourg stated that the contract will service existing refuse containers; that Administration is considering the feasibility of adding additional containers; that the contract provides payment to pull existing containers from their current locations and at the Crochetville Road and Schriever dump sites to Ashland. He continued that Administration is in the process of removing the backlog of items at the Schriever dump; that four to six bins are being emptied from the site per day; that future plans include adding two additional bins at the Schriever Dump site and lower bins for appliances and metals in addition to expanding the ramp for access on both sides. Upon additional questioning, Mr. Bourg noted increased volume at the bin locations and that Administration is considering implementing a curb side program as well as additional bins at the Civic Center, Southland Mall, and in the Summerfield area.

Committee Member T. Cavalier requested that a bin be placed in Schriever.

OFFERED BY: Mr. P. Lambert.

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

RESOLUTION NO. 10-246

A Resolution to include Lower Country Drive into the existing Asphalt Maintenance Contract with Barriere Construction Co. LLC in the amount of Three Hundred Twenty Five Thousand Dollars and Zero Cents (\$325,000.00).

WHEREAS, on January 12, 2010 bids were received by the Terrebonne Parish Consolidated Government, Purchasing Division for Project #09-ROADS-71 for the Public Works Asphalt Maintenance Contract, and

WHEREAS, the Terrebonne Parish Consolidated Government Public Works Department is recommending to add Lower Country Drive to the existing Asphalt Maintenance Contract #09-ROADS-71, and

WHEREAS, Lower Country Drive is within the next group of streets identified as having a surface rating of "5" according to the 2009 Road Priority List, and

WHEREAS, the Department of Finance has certified the amount of Three Hundred Twenty Five Thousand Dollars and Zero Cents (\$325,000.00) in the Transportation Fund, and

WHEREAS, based upon these supporting recommendations, the Public Works Department/Road & Bridge Division recommends the adoption of the aforementioned road to the existing contract with Barriere Construction Co. Inc., and

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council, (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, approves the above mentioned recommendation and that the Parish President be authorized to execute changes to contract documents associated therewith.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-247

A RESOLUTION AWARDDING PARISH PROJECT NO. 10-ELT-12 SOUTHDOWN SUBSTATION UPGRADE TO ASSOCIATED DIVERSIFIED SERVICES, INC. IN THE AMOUNT OF TWO HUNDRED SEVENTY-ONE THOUSAND, FOUR HUNDRED SIXTY-TWO DOLLARS AND FOURTEEN CENTS (\$271,462.14) .

WHEREAS, bids were received on April 6, 2010 for the project known as, Parish Project No. 10-ELT-12 Southdown Substation Upgrade and

WHEREAS, Pike Electric submitted the lowest bid in the amount of Two hundred thirty-six thousand, nine hundred fifty eight dollars and two cents (\$236,958.02), but had taken exception to the bidding documents making the bid non-responsive,

WHEREAS, Associated Diversified Services, Inc. submitted the second low bid in the amount of Two hundred seventy-one thousand, four hundred sixty-two dollars and fourteen cents (\$271,462.14)

WHEREAS, based upon these supporting recommendations, the Utilities Department recommends the award of Parish Project No. 10-ELT-12, Southdown Substation Upgrade, to Associated Diversified Inc. in the amount of Two hundred seventy-one thousand, four hundred sixty-two dollars and fourteen cents (\$271,462.14).

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that Bid of Pike Electric for the Southdown Substation Upgrade Project be and is hereby rejected as non-responsive and

BE IT FUTHER RESOLVED that said bid is awarded to Associated Diversified Services, Inc. in the amount of Two hundred seventy-one thousand, four hundred sixty-two dollars and fourteen cents (\$271,462.14)

BE IT FURTHER RESOLVED, that the Parish President be and is hereby, authorized and empowered to sign a construction contract for and on behalf of the Terrebonne Parish Government with Associated Diversified Services, Inc. for Southdown Substation Upgrade Project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-248

WHEREAS, Resolution 08-279 authorized the purchase of a 7 X 14 mobile trailer stocked with all equipment to deploy Tiger Dams in an emergency situation, and

WHEREAS, Resolution 08-399 authorized the purchase of one hundred nine (109) Tiger Dams (levee tubes with sleeves) and three hundred twenty-seven (327) straps from US Flood Control Corporation, and

WHEREAS, U.S. Department of Homeland Security Federal Emergency Management Agency Public Worksheet 109-99109-00 reimbursed Terrebonne Parish for the purchase of 109 Tiger Dams and 327 Straps as necessary to ensure the protection of public and private property and to ensure the continuation of essential public services, and

WHEREAS, Terrebonne Parish Consolidated Government has received a LGAP Grant, File #0809-TRB-0001, in the amount of \$136,855, to purchase additional Tiger Dams and Straps before February 11, 2011 which was approved by Council through Ordinance Number 7625, and

WHEREAS, Terrebonne Parish Consolidated Government has received a Quote (QUSFC05072010) from US Flood Control Corporation for the sole source / proprietary purchase of one hundred three (103) Tiger Dams and three hundred nine (309) Straps for the Public Works Department, and

WHEREAS, after careful review by Gregory E. Bush, Retired LTC, USA , Public Works Director it has been determined that the quoted price of One Hundred Thirty-four Thousand, Four Hundred Seventy-five Dollars and Zero Cents (\$134,475.00) from US Flood Control Corporation for the sole source / proprietary purchase of one hundred three (103) Tiger Dams and three hundred nine (309) Straps should be accepted as per the attached documents and the under sole source / proprietary provisions set forth in the Louisiana Revised Statutes Titles 39:1597 and 39:1551 et seq., and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the equipment at the cost of One Hundred Thirty-four Thousand, Four Hundred Seventy-five Dollars and Zero Cents (\$134,475.00).

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the sole source / proprietary purchase of the aforementioned equipment be accepted.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairman recognized Mr. Mark Chauvin of Douglas Drive and Ms. Cheri Navarre of Mire Street who addressed the Parish President about the slow pace of drainage improvements in the Broadmoor Subdivision area; and implementing a more timely schedule to perform drainage cleaning.

In response to comments from the aforementioned individuals, Parish President Michel Claudet stated that the Broadmoor Subdivision Drainage Project has been let for bid; that the bids should be received June 22, 2010; that funding has been allocated for said project; that the project would then need to be approved and a Notice to Proceed issued.

Buchart Horn Broadmoor Drainage Project Engineer Jacob Luskey stated that the study commenced in September of 2009; that the study took to 3 to 4 months to compile; that final

plans were drafted; contract deadlines were met; and that the Public Works Department has the plans. He added that the review time has gone back and forth between Buehler Horn and Administration; that the plan entails culvert replacements, removal of oak trees, parallel improvements to increase the pipe size on Kenney Street, the installation of flap gates on the outfall ditches leading to St. Louis Canal, and improvement of the open swale ditches.

Discussion transpired relative to the process of approving a study and implementing the recommendations. (NO ACTION TAKEN)

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin

RESOLUTION NO. 10-249

WHEREAS, traffic on Highway 311, especially in the vicinity of its intersection with Savanne Road, has continued to increase due to the large number of residences along the corridor and the major industrial complex which continues to develop near the highway's intersection with I-49, and

WHEREAS, although many of the residents of the area are aware of the intersection and are prepared to leave early for their destination, many of the employees at the several large businesses are not familiar with the area and are often delayed due to the build-up of traffic, and

WHEREAS, it has been recommended by many who use the roadways on a regular basis that the installation of a left turn arrow on the traffic light at the intersection of Highway 311 and Savanne Road, on the Savanne Road sides, would be advantageous to the overall safe flow of traffic in the area; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Louisiana Department of Transportation and Development be requested to install a left turn arrow on the traffic light located on Highway 311 at its intersection with Savanne Road, on the Savanne Road sides of the light.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to all members of Terrebonne Parish's Legislative Delegation requesting their support of this traffic enhancement issue.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Chairman relinquished the chair to the Vice Chairman.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 10-250

WHEREAS, it is a widely known fact that the Barrier Islands off the coast of Louisiana serve as the mainland's first line of defense against hurricanes and tidal surges, and

WHEREAS, any lessening of the barrier islands allows huge tidal surges to destroy the marshes, ruin fragile estuaries where large numbers of marine life and water fowl begin their existence,

and increases the threat of damage and destruction to the human life and property along the coast line, and

WHEREAS, the threat of contamination caused by the Deep Water Horizon Oil Spill seriously jeopardizes delicate plant life that not only serves as nourishment to the animal life on the barrier islands and salt water marshes, but more importantly, manages to hold the sand and soil in place so that the erosion process is greatly reduced, and

WHEREAS, the placement of sand barriers on the Barrier Islands will significantly reduce the ability of contaminants from reaching the plant life on the islands, thus allowing the plant life to remain a major component in reducing further erosion on the ever important islands, and

WHEREAS, nearly all of the coastal parishes of Louisiana have recognized that the sand barriers on the islands and the narrowing of the passes between the islands will prevent a majority of the contaminants from destroying a vital part of the natural defense system for coastal Louisiana, and

WHEREAS, the Terrebonne Parish Council wishes to join its neighboring parishes in supporting, endorsing and promoting the creation of sand barriers along every inch of the Barrier Islands and to narrow the passes between the islands to further reduce the probable contamination of the salt water marshes which are key to the overall life, both economically and biologically, of Southern Louisiana.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby join its neighboring parishes in supporting, endorsing and promoting the establishment of sand barriers along the Barrier Islands and the narrowing of the passes between the islands in an effort to prevent the further contamination of plant and marine life caused, in part, by the Deepwater Horizon oil spill, and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Hon. Barrack Obama, President of the United States, Hon. Bobby Jindal, Governor of the State of Louisiana, all members of Terrebonne Parish's Congressional and Legislative Delegations, and the proper agencies of the state and federal governments that are handling this most horrific event in the Gulf of Mexico so that they may know the Parish Government's position on this matter.

THERE WAS RECORDED:

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

NAYS: A. Tillman.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Vice Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

The Vice Chairman recognized Mr. Reggie Bourg of "Country Drive who offered comment with respect to holding the oil field industry accountable for drilling activities and mishaps.

The Vice Chairman recognized Mr. Shawn Kissel of Jefferson Davis Street, who expressed support of placing sand barriers to protect the Parish's barrier islands. Mr. Kissel noted the adverse affect if oil reaches the Parish's marshes.

Committee Member P. Lambert explained the condition of the Parish's coastline noting that several of the barrier island cuts are too deep to close.

Parish President Michel Claudet stated Administration has meet with Governor Bobby Jindal, members of Terrebonne's Congressional Delegation, Secretary Janet Napolitano, Secretary Salazar, and Mr. Doug Suttle of BP. He noted the amount of oil leaking daily and added that Terrebonne Parish supports the sand barrier plan; that the permit to place the barriers

may or may not have been granted; that mobilization of dredging costs could be tremendous; and that only certain sand sources are available.

Discussion continued with respect to the sand barrier placement and efforts to protect the coastline.

The Vice Chairman recognized a speaker card from Mr. Shawn Kissel and noted that Mr. Kissel was no longer present.

Committee Member B. Hebert requested consideration of establishing a foundation that would receive funding from businesses to place rocks between the barrier islands.

Terrebonne Economic Development Authority Executive Director Michael Ferdinand stated that the Terrebonne Economic Development Foundation (TEDFO) is a parallel entity to TEDA and is a 501(C)3 foundation. He added that the board of TEDA is also the board for TEDFO.

Committee Member J. Cehan noted the benefits of placing rocks in barrier island passes.

OFFERED BY: Mr. B. Hebert.

SECONDED BY: Mr. J. Cehan.

#### RESOLUTION NO. 10-251

WHEREAS, it is a widely known fact that the Barrier Islands off the coast of Louisiana serve as the mainland's first line of defense against hurricanes and tidal surges, and

WHEREAS, due to the tremendous rate of erosion along the coast, the passes in between the Barrier Islands have continued to widen, thus allowing an incredible flow of water to flow directly into the fragile salt water marshes, which are home to a multitude of water fowl and marine life, and

WHEREAS, the widening passes are allowing contaminants caused by the Deep Water Horizon Oil Spill to flow freely into the estuary system that serves as a "nursery" to the marine organisms that have historically supplied the nation with fresh seafood, and

WHEREAS, by placing sand barriers on the Barrier Islands to narrow the passes that previously joined the islands, rocks can be placed on the islands and the passes to give permanence to the islands and will significantly reduce the ability of contaminants from reaching the animal and plant life in the marshes, thus allowing islands and marshes to continue to play a vital role in reducing the horrific onslaught of water during times of natural emergencies, and

WHEREAS, the placement of a rock wall in the Gulf of Mexico has been a recommended course of action for decades and such action has, for the most part, gone unheeded by state and federal governmental entities, and

WHEREAS, the Terrebonne Parish Council wishes begin a movement to take control of the destiny of this Parish and to take affirmative steps in the placement of rocks along the Barrier Islands and the passes to help prevent further erosion and contamination, and

WHEREAS, the Council also believes that the formation of a Barrier Islands Restoration Foundation be considered so that private individuals and businesses be allowed to contribute directly to the efforts to help in the preservation and restoration of the islands.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby direct the Parish Administration to begin steps to initiate a program to place rocks on the Barrier Islands and especially on the sand barriers that are placed in the passes between the islands, in an effort to prevent the further contamination of plant and marine life caused, in part, by the Deep Water Horizon oil spill, and

BE IT FURTHER RESOLVED that a foundation be formed which will allow individuals, entities and businesses to contribute directly to a fund that will only be responsible for the preservation and restoration of the Barrier Islands off the coast of Terrebonne Parish.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Hon. Barrack Obama, President of the United States, Hon. Bobby Jindal, Governor of the State of Louisiana, all members of Terrebonne Parish's Congressional and Legislative Delegations, and the proper agencies of the state and federal governments that are handling this most horrific event in the Gulf of Mexico so that they may know the Parish Government's position on this matter.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Vice Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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The Chairman resumed the chair.

Mr. J. Pizzolatto moved, seconded by Ms. A. Williams and Mr. A. Tillman, "THAT, the Public Services Committee introduce an ordinance to establish a 'No Parking Zone' between the electronic gate to the rear of the AT&T building and the residential driveway located at 629 Verret Street and call a public hearing on said matter on June 9, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. Pizzolatto moved, seconded by Ms. A. Williams, "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. J. Pizzolatto.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

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

Joey Cehan, Chairman

Suzette Thomas, Minute Clerk

Mr. J. Cehan moved, seconded by Mr. A. Tillman, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 5/24/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Community Development & Planning Committee meeting held on 5/24/10, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 6/9/10, condemnation hearings on 6/8/10 and 9/28/10, and revokes 1 condemnation order, rendered the following:

**COMMUNITY DEVELOPMENT & PLANNING COMMITTEE**

**MAY 24, 2010**

The Chairman, Billy Hebert, called the Community Development & Planning Committee meeting to order at 7:07 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Williams 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, K. Voisin, and A. Williams. A quorum was declared present.

Terrebonne Economic Development Authority (TEDA) Executive Director Michael Ferdinand presented the 2010 Annual Report noting such things as Terrebonne Parish businesses making-up 42% of the businesses in the region; that 132 new businesses received technical assistance; that 21 businesses applied for advance notification, tax incentives, Enterprise Zones, and other state programs; Parish Sales Tax generated \$126,000.00; and the State Sales Tax generated \$112,000.00. Mr. Ferdinand continued that TEDA continues to administer the Parish's revolving loan program and a microloan program. He added that other activities include participating in the Louisiana Development Readiness Program, moving forward on the Gulf Island Re-fabrication Economic Development Award Grant; sponsor for the Buquet Bond; expanding U. S. Import/Export Bank city partner; worked with Parish to develop a tax increment financing policy; and exploring the feasibility of Foreign Tax Status in conjunction with HTAX. (NO ACTION TAKEN)

Ms. A. Williams moved, seconded by Mr. C. Voisin, "THAT, the Community Development & Planning Committee call a public hearing June 9, 2010 at 6:30 p.m. on a proposed Restoration Tax Abatement application for the project known as RICO 6 (restoration of the old Bargain Store)."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED BY: Mr. J. Cehan.

**RESOLUTION NO. 10-252**

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, and rights-of-way for "Acadian Villa Subdivision, Addendum No. 2, Phase B" and to incorporate the extension of "Gabreten Lane" and the extension of "Peggy Street;" energize the street lights; and to incorporate into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, and rights-of-way for "Acadian Villa Subdivision, Addendum No. 2, Phase B" and to incorporate the extension of "Gabreten Lane" and the extension of "Peggy Street;" energize the street lights; and to incorporate into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, June 9, 2010 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Ms. T. Cavalier and Mr. C. Voisin.

RESOLUTION NO. 10-253

WHEREAS, the U.S. Department of Housing and Urban Development requires Public Housing Agency's to have an Administrative Plan, to ensure compliance with federal laws, regulations and notices and must establish policy and procedures to clarify federal requirements and to ensure consistency in the program's day to day operation,

WHEREAS, changes that are required in certain aspects of the program are to be submitted for approval, PHA's are being required to address terminating assistance due to insufficient funding, 24CFR982.454, to be included in their administrative plan and to state the method they will use to select families for termination due to budget constraints,

WHEREAS, Terrebonne Parish Consolidated Government Section 8 Program would amend the current Administrative Plan to reflect this change and to continue to include how families would be returned to the assistance once there is sufficient funding, it will be noted that exemptions to terminations will be families with elderly household members and families with a disabled household member,

WHEREAS, the Terrebonne Parish Consolidated Government Section 8 Program was advised by HUD, to increase the minimum rent (24CFR5.630) from the current minimum rent of \$25 to \$50,

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby adopt the current changes to the Terrebonne Parish Consolidated Government Section 8 Program Administrative Plan.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. P. Lambert.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-254

A RESOLUTION ADOPTING THE AMENDMENT TO THE TERREBONNE PARISH REDEVELOPMENT AND DISPOSITION PLAN TO ALLOW REDEVELOPMENT ON PROPERTIES SOLD THROUGH A LOT NEXT DOOR PROGRAM.

WHEREAS, The Terrebonne Parish Redevelopment and Disposition Plan adopted in September 2008 and approved by the Louisiana Land Trust in October 2008 includes a Lot Next Door Program to offer properties to adjacent property owners, and

WHEREAS, the Parish has increased in population while losing affordable housing stock to hurricane damage; and

WHEREAS, the Parish is working in concert with the Louisiana Recovery Authority to redevelop homes for low to moderate-income families;

WHEREAS, the current Lot Next Door language requires all properties sold to adjacent neighbors to remain open space,

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 Terrebonne Parish Redevelopment and Disposition Plan, dated September 2008, is hereby amended to allow redevelopment on all properties transferred through the Lot Next Door Program but for severe repetitive loss properties that cannot be safely redeveloped.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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The Chairman recognized Mr. Reggie Bourg of Country Drive, who requested clarification of the aforementioned program, the development of the housing on East Street, the re-development of Road Home properties, and the Neighbor-Next-Door Program.

Planning & Zoning Director Patrick Gordon stated that the aforementioned properties were purchased by the State through the Road Home Program and title transferred to the Louisiana Land Trust. He continued that the Louisiana Land Trust has requested that Terrebonne Parish devise a disposition plan to sell, auction, and donate the properties to the public. Mr. Gordon stated that Administration plans to donate some of the properties to non-profit organizations, prior to auctioning offering the properties to adjacent property owners. He explained that the "Lot Next Door" Program mandated that the lot remain a green space; however, the new program would allow re-development of the property. Mr. Gordon further noted that low-to-moderate income bidders will be given a 25% discount on those properties "let-for-bid." Upon questioning, Mr. Gordon stated that purchasers do not necessary have to build structures on the land and noted that currently there are no program to assist the bidders with construction costs on the site.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-255

WHEREAS, following a public hearing held at a meeting of the Terrebonne Parish Council on behalf of the Terrebonne Parish consolidated Government on February 23, 2010, the Terrebonne Parish Council found that the structure located at 814 East Street, Houma, LA, owned by Mr. Clarence Matthews, Sr., Mr. Joseph Matthews, Mr. Clarence Matthews, Jr. & Terrebonne Parish Consolidated Government (Tax Title Owner), as per legal description:

‘One (1) certain lot of ground located in the Parish of Terrebonne, being known and designated as Lot No. one hundred fifty-seven (157) on a map of the Honduras Plantation made by J. C. Waites, C.E., in January, 1923, which map is on file in the clerk’s office Parish of Terrebonne, Louisiana; the said Lot No. 157 containing 2.82 acres; together with all the buildings and improvements thereon and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining.’

was in a dilapidated and dangerous condition that endangers the health, safety, and welfare of the public, and it thereby condemned the structure, and further ordered the owner to demolish or remove the structure on or before March 31, 2010, in default of which the Terrebonne Parish Consolidated Government was authorized to proceed with the bidding process to demolish and/or remove the structure at the owner’s expense, and

WHEREAS, the owner has been given additional time to make repairs to the structure, in an effort to bring the structure into compliance, and

WHEREAS, therefore it is in order that the previous order of condemnation be revoked and rescinded, so that the owner may be allowed to obtain a permit to complete the necessary repairs.

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 order of condemnation previously issued by the Terrebonne Parish Council on February 23, 2010, for the structure located on the property designated as 814 East Street, Houma, LA having a legal description of:

‘One (1) certain lot of ground located in the Parish of Terrebonne, being known and designated as Lot No. one hundred fifty-seven (157) on a map of the Honduras Plantation made by J. C. Waites, C.E., in January, 1923, which map is on file in the clerk’s office Parish of Terrebonne, Louisiana; the said Lot No. 157 containing 2.82 acres; together with all the buildings and improvements thereon and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining.’

is hereby revoked and rescinded, and

BE IT FURTHER RESOLVED that Parish President Michel Claudet is authorized to sign a SATISFACTION OF CONDEMNATION ORDER, to be properly recorded with the Terrebonne Parish Clerk of Court’s office.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. J. Pizzolatto and Ms. A. Williams.

RESOLUTION NO. 10-256

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE COMMERCIAL STRUCTURE SITUATED AT 1005 DUNN STREET, LOT 1, BLOCK 20, HONDURAS ADDITION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on July 1, 2009 the Department of Planning and Zoning was notified of

extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 1005 Dunn Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on July 17, 2009, it was found that the commercial structure located at 1005 Dunn Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 10, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the commercial structure located at 1005 Dunn Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-257

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL MOBILE HOME STRUCTURE SITUATED AT 103 LACEY LANE, LOT 3, BLOCK 5, ADDENDUM NO. 2, PAUL GROS SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on September 15, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 103 Lacey Lane; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on October 8, 2009, it was found that the residential mobile home structure located at 103 Lacey Lane was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 10, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential mobile home structure located at 103 Lacey Lane be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 10-258

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL MOBILE HOME STRUCTURE SITUATED AT 109 REYNOLD STREET, LOTS 21 & 22, BLOCK 4, MONTEGUT HEIGHTS SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on September 10, 2009 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 109 Reynold Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on October 6, 2009, it was found that the residential mobile home structure located at 109 Reynold Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 12, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential mobile home structure located at 109 Reynold Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be

condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-259

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 128 SAMUEL STREET, LOT 35, BLOCK D MECHANICVILLE FOR TUESDAY, SEPTEMBER 21, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on June 4, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 128 Samuel Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on June 16, 2009, it was found that the residential structure located at 128 Samuel Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 30, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 128 Samuel Street be called for Tuesday, September 21, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 10-260

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 134 BANKS STREET, LOT 35, BLOCK B MECHANICVILLE FOR TUESDAY, SEPTEMBER 21, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on September 8, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 134 Banks Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on September 30, 2009, it was found that the residential structure located at 134 Banks Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 29, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 134 Banks Street be called for Tuesday, September 21, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-261

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 205 WILLOWDALE DRIVE, LOT 3, BLOCK 1 WILLOWDALE SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on October 6, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 205 Willowdale Drive; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on November 2, 2009, it was found that the residential structure located at 205 Willowdale Drive was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on April 1, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 205 Willowdale Drive be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\*\*\*\*\*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-262

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 427 PRINCE COLLINS STREET, LOT 19, BLOCK 4, ADDENDUM NO. 2, PRINCE COLLINS SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on November 5, 2009 the Department of Planning and Zoning was notified of

extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 427 Prince Collins Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on November 13, 2009, it was found that the residential structure located at 427 Prince Collins Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 15, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 427 Prince Collins Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 10-263

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL MOBILE HOME STRUCTURE SITUATED AT 436 HANSON DRIVE, LOTS 15 & 16, BLOCK 2, PHASE A, VILLAGE ISLE SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on October 9, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 436 Hanson Drive; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on October 26, 2009, it was found that the residential mobile home structure located at 436 Hanson Drive was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 12, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential mobile home structure located at 436 Hanson Drive be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 10-264

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE ACCESSORY STRUCTURE SITUATED AT 508 COLUMBUS STREET, LOT 3, BLOCK 128, PARR'S SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on August 6, 2009 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 508 Columbus Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on August 27, 2009, it was found that the accessory structure located at 508 Columbus Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 12, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the accessory structure located at 508 Columbus Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be

condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-265

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 520 COLUMBUS STREET, LOT 5, BLOCK 128, COLUMBUS STREET, PARR ADDITION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on May 11, 2009 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 520 Columbus Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on May 15, 2009, it was found that the residential structure located at 520 Columbus Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 12, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 520 Columbus Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 10-266

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 617 ½ DUPONT STREET, LOT 4, BLOCK 6, DEWEYVILLE FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on April 3, 2007 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 617 ½ Dupont Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on April 17, 2007, it was found that the residential structure located at 617 ½ Dupont Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 10, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 617 ½ Dupont Street be called for Tuesday, June 8, 2010, at 5:30 p.m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 10-267

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 622 POINT STREET, 48' FRONT & BEING A FRACTIONAL

PART OF LOTS 2 & 3, BLOCK 44 OF CITY OF HOUMA FOR TUESDAY, SEPTEMBER 21, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on March 23, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 622 Point Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on March 23, 2009, it was found that the residential structure located at 622 Point Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 15, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 622 Point Street be called for Tuesday, September 21, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-268

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE ACCESSORY STRUCTURE SITUATED AT 7187 MAIN STREET, LOT 40' BATTURE LOT FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on October 2, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 7187 Main Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on October 20, 2009, it was found that the accessory structure located at 7187 Main Street was, in fact, in such condition that it has been formally declared a dilapidated and

dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 16, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the accessory structure located at 7187 Main Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 10-269

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 7204 MAIN STREET, PART OF LOT 9, BLOCK b, GREATER HOUMA SUBDIVISION FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on October 12, 2009 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 7204 Main Street; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on October 27, 2009, it was found that the residential structure located at 7204 Main Street was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 16, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community

Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 7204 Main Street be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-270

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL MOBILE HOME STRUCTURE SITUATED AT 766 ARAGON ROAD, LOT 8, BLOCK 10, ADDENDUM NO 3, ARAGON ESTATES FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on August 28, 2009, the Department of Planning and Zoning was notified of violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 766 Aragon Road; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on September 28, 2009, it was found that the residential mobile home structure located at 766 Aragon Road was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, after attempts to contact the owner of record via certified mail, the Department of Planning and Zoning published the required warning giving the owner notice of the violations; and

WHEREAS, subsequent to the required publication of the nuisance warning and numerous inspections of the property, the last of which occurring on March 20, 2010, no work to remedy the violations has occurred.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential mobile home structure located at 766 Aragon Road be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation,

if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-271

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE COMMERCIAL STRUCTURE SITUATED AT 825 HIGHWAY 182, LOT 60' X 120' ON WEST SIDE OF HIGHWAY 90 FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on November 12, 2009 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 825 Highway 182; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on November 23, 2009, it was found that the commercial structure located at 825 Highway 182 was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 16, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the commercial structure located at 825 Highway 182 be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

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

RESOLUTION NO. 10-272

A RESOLUTION CALLING A CONDEMNATION HEARING ON THE RESIDENTIAL STRUCTURE SITUATED AT 882 CROCHETVILLE ROAD, TRACT ½ ARPENT X DEPTH IN SECTION 1, T19S-R19E FOR TUESDAY, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, on March 16, 2009 the Department of Planning and Zoning was notified of extensive violations to the Terrebonne Parish Nuisance Abatement Ordinance occurring at 882 Crochetville Road; and

WHEREAS, from an inspection of the property conducted by the Department of Planning and Zoning on March 19, 2009, it was found that the residential structure located at 882 Crochetville Road was, in fact, in such condition that it has been formally declared a dilapidated and dangerous structure, as defined under Section 14-26 of the Terrebonne Parish Code of Ordinances and, therefore, constitutes a nuisance; and

WHEREAS, the owner of record has been issued the required warning via certified mail by the Department of Planning and Zoning, of the violations occurring on the property; and

WHEREAS, subsequent to the required notifications and inspections of the property, the last of which occurring on March 12, 2010, no work to remedy the violations has occurred;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a condemnation hearing on the residential structure located at 882 Crochetville Road be called for Tuesday, June 8, 2010, at 5:30 p. m.; and

BE IT FURTHER RESOLVED that the appropriate notice be sent to the property owner(s) requiring him/her to show just cause at the hearing as to why the structure should not be condemned; and

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to appoint an attorney ad hoc to ensure that the property owner(s) are given proper notice and representation, if needed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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

RESOLUTION NO. 10-273

A RESOLUTION CALLING A PUBLIC HEARING FOR CONDEMNATION ON 28 PROPERTIES UNDER THE PUBLIC ASSISTANCE DEMOLITION PROGRAM, JUNE 8, 2010, AT 5:30 P.M. AND ADDRESSING OTHER MATTERS RELATIVE THERETO.

WHEREAS, Terrebonne Parish Consolidated Government is currently demolishing structures damaged by Hurricane Gustav/Ike which qualify for the FEMA, Public Assistance Debris

Removal Program; and

WHEREAS, Terrebonne Parish has inspected numerous structures for potential demolition; and

WHEREAS, the attached list of 28 properties have been determined to be on the “verge of collapse” and/or create a detriment to the health, safety and welfare of Terrebonne Parish; and

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that a public hearing for condemnation on the attached list of 28 properties under the Public Assistance Demolition Program, be called for June 8, 2010 at 5:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Attachment to Resolution  
Public Assistance Demolition Program  
Call for Condemnation Hearing – 6/8/10

- 825B Bayou Dularge Road
- 1589 Bayou Dularge Road
- 2623 Bayou Dularge Road
- 2853 Bayou Dularge Road
- 2855 Bayou Dularge Road
- 4689A Bayouside Drive
- 4689B Bayouside Drive
- 5643 Bayouside Drive
- 127 Butch Court
- 6531 Grand Caillou Road
- 7020 Grand Caillou Road (commercial)
- 7055 Grand Caillou Road
- 7303 Grand Caillou Road (commercial)
- 7406 Grand Caillou Road (commercial)
- 8033 Grand Caillou Road (commercial)
- 8795 Grand Caillou Road
- 4277 Highway 24
- 5777 Highway 56
- 6452 Highway 56 (Structure 2)
- 6452 Highway 56 (Structure 3)
- 1169 Highway 665
- 3955 Highway 665 (commercial)
- 115 Roland Henry Street
- 117A Roland Henry Street
- 117B Roland Henry Street
- 6420 Shrimpers Row
- 2349 South Madison Road
- 2355 South Madison Road

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Ms. A. Williams moved, seconded by Mr. K. Voisin, “THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 7:38 p.m.

Billy Hebert, Chairman

Suzette Thomas Minute Clerk

Mr. B. Hebert moved, seconded by Mr. A. Tillman, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 5/24/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: J. Cehan

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Natural Resources & Coastal Restoration Committee meeting held on 5/24/10, whereupon the Committee Chairman rendered the following:

#### **NATURAL RESOURCES & COASTAL RESTORATION COMMITTEE**

**MAY 24, 2010**

The Chairman, Kevin Voisin, called the Natural Resources & Coastal Restoration Committee meeting to order at 7:44 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, K. Voisin, and A. Williams. A quorum was declared present.

Coastal Restoration & Preservation Director Leslie Suazo presented an update on the following ongoing CWPPRA project in the engineering/design phase and near construction phase:

##### Engineering and Design:

Marsh Creation and Terracing in Madison Bay (320 acres, 15,000 ft. linear terracing sponsored by the National Marine Fisheries Service) to provide substantial protection for the Montegut area levee; in the 3<sup>rd</sup> year of a 4 year engineering period; 95% design review in May 2011

Central Terrebonne Freshwater Enhancement Project entails narrowing of Grand Pass between Lake Mechant and Sister Lake; a barge barrier will be installed to narrow the pass from 800 ft. to 200 ft.; modeling underway and the engineering phase is expected to be extensive due to protracted modeling anticipated to last seven years; the project is in the 2<sup>nd</sup> year of the engineering and design phase

Loss Lake Marsh Creation Project approved in 2009 for engineering and design; several CWPPRA Project have been completed in the area which provided symmetric data; oyster issues have been resolved; sponsored by the U. S. Wild Life and Fisheries; anticipated engineering time frame 3 years.

##### Ongoing and Near Construction Projects:

GIWW Bank Stabilization along the Terrebonne Parish property line is under construction; the first 4 segments of 8 segments are underway under the CEPT

Project; 2<sup>nd</sup> phase will begin October 2010; initially funded under the CWPPRA Program, but has been split up for cost purposes under the two programs

Penchant Basin Project will re-route freshwater in the upper north western portion of Terrebonne Parish; contract awarded in April 2010; a Notice to Proceed should be issued in June 2010; construction anticipated for July 2010; the project has been in development for over 17 years

Rock Prevention on the southern rim of Lake Decade; bid opened mid-May; bid awards have not been announced; anticipated to proceed by June

Falgout Canal Project – revised scope of work and amendments being devised for submission to the State; hope to moved forward by mid-June; changes need to be submitted to MMS for approval of the amendments to Terrebonne's plan

LCA Studies: (1) Convey the Atchafalaya River Water to Terrebonne's marsh areas through the GIWW; a tentative selected plan of alternatives will be released on June 2<sup>nd</sup> at a public meeting in the Council Meeting Room

Project to Stabilize the Gulf Shoreline at Point-a-Fluer and maintain the land bridge between Caillou Lake and the Gulf of Mexico reports are due December 2011; landowner meetings have been held; feasibility study conducted within the last week; submission to the public is anticipated August 2011

North Lake Boudreaux Freshwater Diversion Project 95% design meeting scheduled for June 2010; Administration will not be able to request permission to proceed in June, but will submit the project in September; the project funds have been set aside

Projects being considered:

Placement of Floating Island Environmental Devices on the east bank of Bayou Terrebonne; emergency work may be necessary on the east bank of Bayou Terrebonne as a result of to the Deepwater Horizon Oil Spill; other locations will be considered

Anticipate a request for the Parish's participation in a shoreline stabilization project between Hanson Canal and the GIWW on the Mandalay Refuse; consideration will be requested in June or July

In response to questioning, Mrs. Suazo stated that the narrowing of Sister Lake and Lake Mechant has been placed in a 7-year engineering and design plan due to the modeling phase taking 3-years. She further explained the permitting process status for various projects.

The Chairman requested that Administration contact BP with respect to having a representative present to answer questions during the Committee proceedings.

Homeland Security and Emergency Preparedness Director Earl Eues stated that Administration has implemented a 12-hour shift for OHSEP to monitor the oil spill; 1,600 vessels of opportunity are available with the State; 200 vessels were registered in Terrebonne Parish; 46 of the vessels have been hired by BP; 19 inspections of vessels have been conducted in Cocoderie by the U. S. Coast Guard; BP has donated \$100,000.00 to Catholic Charities in the Houma-Thibodaux area to assist fishermen who have been affected; two claim centers have been opened – 1814 Grand Caillou Road (old Delchamps shopping center) and 5703 Highway 56 in Chauvin; breaches in the Parishes wetlands are being closed using sand bags or other available methods; the Trinity Bayou and the 19<sup>th</sup> Canal have been placed on a work order for the National Guard to close; TEDA has been working with businesses to provide assistance; the Small Business Association has opened a claim center on the 1<sup>st</sup> floor of the Government Tower to provide assistance on deferred past loans; BP is meeting with local Indians at 9:00 a. m Tuesday, May 25, 2010 in Point-aux-Chene to discuss issues; approximately 70 miles of shoreline in Terrebonne Parish has been impacted via light sheening; of the 66 to 70 miles impacted only 27 miles has oil that can be collected; Terrebonne Parish has 56,500 feet of boom deployed in the

barrier island area; 38,000 ft. of boom has been stationed in Cocoderie for deployment; 151,000 barrels of oil has been burned over the weekend; BP is spending \$19 million dollars on burning the oil; total estimated cost to-date \$700 million dollars; variations in the amount of oil leaking is due to the amount of gas coming through the riser; total personnel in Houma at BP is 707 with approximately 1,000 people entering and exiting from other Parishes; grand total manpower 17,000 with 6,000 working in Louisiana. Mr. Eues stated that we will attempt to have a representative present at Wednesday's Council meeting.

The Chairman requested that the Deepwater Horizon Oil Spill matter be placed on the Committee agenda every two weeks until the response to the disaster us over.

Upon questioning, Mr. Eues stated that the closest patch of oil to Terrebonne Parish varies dependent upon Gulf currents. He continued that today there were none, but Saturday a large patch was 3 miles away which ultimately ended up in Lafourche Parish at Fouchon and Grand Isle.

Chief Finance Director Jamie Elfert stated that the \$1 million dollar donation is invested in a LAMP Program and nothing has been used to-date.

Committee Member A. Tillman stated that if a representative is available Wednesday, the Council will consider comments under "Public Wishing to Address the Council". (NO ACTION TAKEN)

Ms. A. Williams moved, seconded by Mr. J. Cehan, "THAT, there being no further business to come before the Natural Resources and Coastal Restoration Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 8:16 p.m.

Kevin Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. K. Voisin moved, seconded by Mr. C. Voisin, "THAT, the Council accept and ratify the minutes of the Natural Resources & Coastal Restoration Committee meeting held on 5/24/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: P. Lambert

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Budget & Finance Committee meeting held on 5/24/10, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 6/9/10, rendered the following:

### **BUDGET & FINANCE COMMITTEE**

**MAY 24, 2010**

The Chairman, Alvin Tillman, called the Budget & Finance Committee meeting to order at 8:23 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by K.

Voisin 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, K. Voisin, and A. Williams. A quorum was declared present.

Council Clerk Paul Labat informed the public that due to technical difficulties with the video equipment, only audio coverage of the proceedings will be available.

Ms. A. Williams moved, seconded by Mr. J. Cehan, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2010 Adopted Budget; 2010 Adopted Budgeted Positions; Classification and Compensation Plan; and Building Contract, in order to outsource the Food & Beverage Catering at the Civic Center; and provide for related matters, and call a public hearing on said matter on Wednesday, June 9, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-274

WHEREAS, on February 19, 2009 sealed quotes were received for purpose of providing the Annual Service Contract for Mowing/Maintenance of the Houma-Terrebonne Civic Center, and

WHEREAS, the contract was effective from the date of the first of thirty-six (36) scheduled cuts covering a 12 month period to end on or about June 2010, and

WHEREAS, as noted in the contract, Terrebonne Parish Consolidated Government may exercise an option to extend the bid for two (2) additional years in one (1) year increments at the same unit prices agreeable by both parties, and

WHEREAS, Terrebonne Parish Consolidated Government has chosen the option to extend the original contract for an additional term of 36 cuts in a 12 month period, to conclude on or about June 2011, and

WHEREAS, Green Scapes of Louisiana, Inc. has agreed to extend their current prices for an additional 36 cuts over the next 12 month period to conclude on or about June 2011, and

WHEREAS, the Parish Administration wishes to extend the current prices until the conclusion of the contract extension, on or about June 2011, and

WHEREAS, both parties have mutually agreed to extend the current prices, at the same unit prices until the conclusion of 36 cuts on or about June 2010, and

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the current prices of the Annual Service Contract for Mowing/Maintenance of the Houma-Terrebonne Civic Center Grounds be extended until the conclusion of said 36 cuts over a 12 month period to conclude on or about June 2011, at the same unit prices.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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Mr. K. Voisin moved, seconded by Mr. B. Hebert, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2010 Budget positions for an additional Juvenile Detention Center Assistant Director and all matters relative thereto and call a public hearing on said matter on Wednesday, June 9, 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, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 10-275

A Resolution introducing an Ordinance to declare vehicles, and miscellaneous equipment from the Animal Shelter, City Marshal, Civic Center, Coroner's Office, Council/Council Clerk, Customer Service, Drainage, Police and Roads & Bridges Departments as surplus as presented in Exhibit "A" to the ordinance, and authorizing said items to be disposed of by public bid, negotiated sale, junked or any other legally approved method.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby introduce an ordinance which will declare Exhibit "A" to the ordinance as surplus, and authorizes the Parish President to dispose of said items by public bid, negotiated sale, junked or any other legally approved method, and that a public hearing on said matter be called for Wednesday, June 9, 2010 at 6:30 o'clock p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

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OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-276

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes while prohibiting many other tax levy sources; and,

WHEREAS, sales and use tax revenues for the Terrebonne Parish Consolidated Government represents a major portion of the total revenues; and,

WHEREAS, local sales tax revenue is critical in providing the necessary services to the citizens of Terrebonne Parish; and,

WHEREAS, Representative Fred Mills has authored House Bill 1404 that would exempt physicians from the payment of local sales and use tax on the procurement or administration of prescription drugs when administered as a professional service in a physician's office, infusion clinic, or other out-patient facility where patients are not regularly kept as bed patients for more than twenty-four hours or more; and

WHEREAS, the loss of said tax revenue will severely impact the needed services provided for this government.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that every member of the Terrebonne Parish Legislative delegation be urged and requested to vigorously oppose House Bill 1404 or any such bill that would exempt any local sales or use tax revenue without the expressed authorization of the levying governmental entity or authorized by the voters of the parish;

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Governor of Louisiana and every member of the Terrebonne Legislative Delegation to convey to them this Council's official position on House Bill 1404.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Council Clerk Paul Labat stated that Sales & Use Tax Director Christa LaGarde has indicated that should House Bill 1404 be adopted, the minimum reduction in tax collection would be \$236,000.00.

Ms. A. Williams moved, seconded by Mr. K. Voisin, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2010 Adopted Budget and the 5-Year Capital Outlay to recognize a grant award with the Louisiana Department of Natural Resources (DNR) concerning an Energy Efficiency and Conservation Grant (Government Tower Mechanical System), and call a public hearing on said matter on Wednesday, June 9, 2010 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Parish Manager Al Levron explained that Administration recommends changing the fee rate for environmental services and oil spill management assistance performed by ES&H Consulting and Training Group from a daily rate to an hourly rate based upon services rendered. He noted that the hourly rate would be estimated to cost a certain amount per day.

Chief Finance Director Jamie Elfert stated that there is no contract for the services and that the estimated amount of \$220,000.00 was based on 60-day of services provided or \$220,000.00 whichever occurred first. She continued that the \$3,700.00 flat rate previously approved would have been paid regardless of the number of hours worked (i.e., 1 hour - \$3,700.

Or 12 hours - \$3,700.00). Mrs. Elfert further explained that the revision allows that if only an hour of service is performed, the hourly rate would be paid, not the maximum \$3,700.00 flat rate.

In response to questioning, Mr. Levron stated that Administration will receive invoices for the services performed and certified time sheets.

Mrs. Elfert interjected that the maximum amount to be paid has been indicated in order to provide guidance in the amount of funding expended for services.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 10-277

WHEREAS, the Parish declared a State of Emergency on May 9, 2010, as a response to the Deepwater Horizon Oil Spill, and

WHEREAS, the Parish Council concurred with the actions of Administration to utilize the services of an environmental consultant to meet the current oil spill management of the Parish, referencing Resolution No. 10-235, and

WHEREAS, ES&H Consulting and Training Group has immediately began assessment of the oil spill on our behalf, which includes all personnel, supplies, resources, and equipment including Response Boat, boat operator, GPS, Camera, Senior Level Environmental Consultant/Biologist in the field and Professional Environmental Consultant completing all reports, and

WHEREAS, Terrebonne Parish Administration reviewed the rate structure and has renegotiated the terms for these services to include separate rates (Attachment A) to better serve the Parish during the state of emergency, and

WHEREAS, rates for flight assessments has been proposed if needed at an additional rate of \$3,076.00 per day, and

WHEREAS, the services are estimated not to exceed 60 days, and not to exceed Two hundred twenty thousand, two hundred dollars and 00/100, (\$220,200), and

WHEREAS, BP Exploration and Production, Inc. has provided \$1.0 million for the purposes of addressing the costs incurred by the Parish resulting from the event.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, concur with the actions of the Parish President, Michel H. Claudet and his administration to change the rate structure for the services by ES&H.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Budget & Finance Committee authorize the Parish President to enter into a contract with LAT Workforce Investment Board, Inc. and Career Solutions Center Work Connection, Inc. for the Summer Employment Opportunities." (\*\*SUBSTITUTE RESOLUTION OFFERED AND ADOPTED).

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 10-278

A Resolution Authorizing the Parish President to negotiate and execute a Contract between Terrebonne Parish Consolidated Government and LAT Workforce Investment Board, Inc., and Career Solutions Center Work Connection, Inc. for Summer Employment Opportunities.

WHEREAS, Terrebonne Parish Consolidated Government will provide \$69,000.00 in funds for work experience to the LAT Workforce Investment Board, Inc. and Career Solutions Center Work Connection, Inc.

WHEREAS, Contractor will provide core, intensive and training services to participants starting on June 1, 2010 and ending on August 27, 2010 that will assist them in obtaining employment and training opportunities.

WHEREAS, Contractor shall make the ultimate determination of participant eligibility and only those persons eligible under the terms of the State Regulations for implementation of the Workforce Investment Act and Community Services Block Grant shall be entitled to funding.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Budget & Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Michel H. Claudet, to negotiate and submit the contract between Terrebonne Parish Consolidated Government and LAT Workforce Investment Board, Inc. and Career Solutions Center Work Connection, Inc.; and,

BE IT FURTHER RESOLVED that the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government does hereby authorize the Parish President to execute any and all agreements, certifications, and documents necessary between the Terrebonne Parish Consolidated Government and the Community Services Block Grant and LAT Workforce Investment Board, Inc. and Career Solutions Center Worker Connection, Inc.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 24<sup>th</sup> day of May, 2010.

\* \* \* \* \*

Housing & Human Services Director Darrel Waire stated that further clarification with respect to the eligible age criteria is needed from the Work Connection; that he believes the age limit is between 14 and 24; that the Work Connection annual provides the program service; that participants must meet income requirements; that the State of Louisiana contacted Administration regarding subsidizing a portion of the program budget for summer employment salaries for students; and that LAT issued applications to various schools. He added that he will find out exactly how advertisement of the program was done.

Ms. A. Williams 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 Ms. A. Williams.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 8:35 p.m.

Alvin Tillman, Chairman

Suzette Thomas, Minute Clerk

Mr. A. Tillman moved, seconded by Mr. B. Hebert, "THAT, the Council accept and ratify the minutes of the Budget & Finance Committee meeting held on 5/24/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Policy, Procedure, & Legal Committee meeting held on 5/24/10, whereupon the Committee Chairman rendered the following:

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

**MAY 24, 2010**

The Chairman, Johnny Pizzolatto, called the Policy, Procedure, & Legal Committee meeting to order at 8:38 p.m. in the Terrebonne Parish Council Meeting Room and offered the Invocation, followed by the Pledge of Allegiance led by B. Hebert. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

Mr. C. Voisin moved, seconded by Ms. A. Williams, "THAT, the Policy, Procedure, & Legal Committee name The Courier as the Official Journal for the Terrebonne Parish Consolidated Government for the upcoming year, as per the rates quoted." (\*\*MOTION AMENDED AFTER COMMENTS)

Committee Member K. Voisin expressed the sentiments of his constituents with respect to the publication of Council proceedings and legal notices in small print and barely legible. He noted technological advancements which could prove to be a better mechanism for publishing proceedings and added that legislation is being considered to allow publication on the internet.

Mr. C. Voisin offered an amendment, seconded by Ms. A. Williams, "THAT, the Policy, Procedure, & Legal Committee name The Courier as the Official Journal for the Terrebonne Parish Consolidated Government from July 1, 2010 to June 30, 2011, as per the rates quoted, and that in accordance with R. S. 43:181, the Tri-Parish Times be named the Auxiliary Official Journal, at the same rate as last year, for the same period."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: J. Cehan and B. Hebert.

ABSENT: None.

The Chairman declared the *amended* motion adopted.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 8:55 p.m.

Johnny Pizzolatto, Chairman

Suzette Thomas, Minute Clerk

Mr. J. Pizzolatto, seconded by Mr. C. Voisin and Mr. A. Tillman, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 5/24/10."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

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

INSTALL 150- WATT STREET LIGHT AND POLE 5832 NORTH BAYOU BLACK DRIVE IN GIBSON; SLECA; RLD #8; ARLANDA WILLIAMS

INSTALL 2 – 400W HPS DIRECTIONAL "TURNPIKE" FLOOD LIGHTS NEAR 3967 HIGHWAY 56 @ BRIDGE APPROACH; RLD #7; ENTERGY; JOEY CEHAN

INSTALL 1 – 400W HPS DIRECTIONAL "TURNPIKE" FLOOD NEAR 4100 BAYOUSIDE DR. @ BRIDGE APPROACH; RLD #5; ENTERGY; JOEY CEHAN."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. A. Tillman, "THAT, the Council keep nominations open an additional two weeks for the vacancy on the Bayou Blue Fire Protection District Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. K. Voisin, "THAT, the Council keep nominations open for the vacancy on the Recreation District No. 1 Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Ms. T. Cavalier, “THAT, the Council re-appoint Mr. Mickey Fonseca to the Terrebonne Advisory Committee on Disability Affairs, representing START, re-appoint Ms. Kathleen Cuneo to one of the at-large positions and that nominations remain open for the remaining seven positions.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. K. Voisin, “THAT, the Council keep nominations open for two weeks for the expired terms of Ms. Anne B. Trahan (Nicholls) and Ms. Debra Yarbrough (School Board) on the Personnel Review Board.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. J. Pizzolatto moved, seconded by Mr. J. Cehan, “THAT, the Council re-appoint Mr. C. J. Stoufflet (District 8) and Mr. Chester Voisin (District 7) to the Consolidated Waterworks District No. 1 Board, and that nominations remain open for the expiring term of Mr. Greg Hood, Jr. (District 3).”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. C. Voisin, “THAT, the Council hold nominations open for two weeks for the expiring term of Mr. Baylis Bergeron, Jr. on the Recreation District No. 9 Board.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Councilman P. Lambert referenced the Deep Water Horizon oil spill that happened approximately forty days ago and stressed appreciation to the fishermen using their boats, the people stationed at different locations, the National Guard, etc., for their assistance with the barriers and cleanup efforts.

At the request of Councilman P. Lambert, Public Safety Director Ralph Mitchell explained that in reference to Canal 19 it has been approved and work is in progress for a sandbagging operation.

The Chairwoman recognized Mr. Jerome Zeringue, Louisiana Office of Coastal Protection & Restoration Authority, who explained that the sand bagging operation for Trinity Bayou section has started. He complimented the National Guard because they have been a big help in closing many breaches and many needs of the State during this crisis. He explained what is being done to close the breaches on Canal 19 on Timbalier Island, Elmer's Island, and Commonada Pass.

Mr. P. Lambert moved, seconded by Mr. K. Voisin, "THAT, the Council authorize Administration to do whatever it takes to stop the oil from the oil spill from getting into to the marshes." \*(MOTION VOTED ON AFTER DISCUSSION.)

Parish President M. Claudet explained what steps are currently taking place to address the oil spill that is headed towards the coast. He stated the President Obama is coming to Louisiana on Friday and Governor Jindall and Gary Graves have requested approval of the permits for the sand barriers along the entire barrier islands all the way to Racoon Island.

Mr. Jerome Zeringue explained that the State took it upon itself to begin developing a plan to address the oil spill situation for the Parishes, one aspect being proposed is a sand barrier from Chandelier Island all the way to Racoon Island. He stated that unfortunately, the Corps of Engineers has not responded to this date regarding the permit applied for this project. He stated that other alternatives are being reviewed. He stated that all options are being evaluated and many ideas are being sent in and are being welcomed.

Councilman J. Cehan stated he was contacted by an individual who has a barge fleet of about 3,600 and has offered 300 barges to Terrebonne Parish, which would make about 11 miles of barrier. He stated that he will meet with them tomorrow to discuss the offer further.

A discussion ensued relative to what action is being taken to stop the oil headed towards the Terrebonne Parish coast, ideas that could be considered to assist, and cleanup efforts for the oil that does get through and whether Terrebonne Parish should take steps to protect itself with or without approval of the U. S. Army Corps of Engineers.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: A. Tillman

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. B. Hebert, "THAT, the Council adopt a resolution directing the Parish President to review the priorities of this parish and to decide if the purchase of land for a Government Complex is more important than protecting the Barrier Islands, the salt water marshes and ultimately the entirety of Terrebonne Parish, and the Council recommending that the Parish President propose a budget amendment ordinance, as soon as possible, which would re-direct \$5 million dollars of funds previously allocated for the land purchase to a Barrier Island Protection Account so that the narrowing of the several passes in between the Barrier Islands could begin immediately, and that reports e given to the Council biweekly and the Chairwoman be informed weekly of any expenditures relative thereto." \*(MOTION VOTED ON AND FAILS AFTER LENGTHY DISCUSSION.)

A lengthy discussion ensued relative to whether it is necessary to allocate funding to assist with putting up barriers for the oil coming towards Terrebonne Parish's coast and the cleanup when the Parish President has the authority to expend funding in a "State of Emergency" without waiting for approval.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: A. Tillman, A. Williams, T. Cavalier, J. Pizzolatto, and K. Voisin

ABSENT: None

The Chairwoman declared the motion failed.

There were no items to announce under agenda item 7A – Announcements, Council.

Parish President M. Claudet announced that there has been a lot of discussion about emergency food stamps and they have been told that individuals should pre-register, in the event that emergency food stamps are issued, and can pre-register online at [www.dss.state.la.us](http://www.dss.state.la.us).

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

There were no matters reported on under agenda item 8B – Parish President:

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted and the meeting adjourned at 10:30 p.m.

VENITA H. CHAUVIN, MINUTE CLERK

ATTEST:

/S/ARLANDA J. WILLIAMS  
ARLANDA J. WILLIAMS, CHAIRWOMAN  
TERREBONNE PARISH COUNCIL

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