

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**TERREBONNE PARISH COUNCIL**  
**IN REGULAR SESSION**  
**OCTOBER 25, 2000**

The Chairman, Mr. Daniel D. Henry, Sr., called the meeting to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, led by Councilman A. Tillman, the Pledge of Allegiance was led by Councilwoman C. Duplantis. Upon roll call, Council Members recorded as present were: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

Council Chairman D. Henry stated that the memorial for Mr. Douglas Maier, former Chief Finance Officer, was being deferred to a future agenda.

Memorials were read for Mr. Aaron Duplantis, Grand Caillou Fire Chief and Mr. L. Dallas Rogers, who recently passed away and moments of silence were taken in honor of their memory. The memorials were presented to Mr. Rogers' Son and Mr. Duplantis' widow. Upon roll call, Council Members recorded as present were: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

Mr. R. Boudreaux moved, seconded by Mr. J. B. Breaux, "THAT, the Council approve the minutes of the Regular Council Session held on 9/27/00."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. R. Boudreaux moved, seconded by Mr. C. Voisin, "THAT, the Council approve the Parish Bill List dated 10/23/00."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, C. Duplantis, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: W. Thibodeaux, C. Duplantis, and J. B. Breaux.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. B. Breaux moved, seconded by Mr. H. Lapeyre, "THAT, the Council allow an add-on to the agenda to approve the Manual Check Lists for August and September, 2000."

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. B. Breaux moved, seconded by Mr. H. Lapeyre, "THAT, the Council approve the Manual Check Lists for August and September, 2000."

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

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

A. A proposed ordinance that will set the millage rates on various taxing districts.

The Chairman recognized Ms. Betty Matherne, Bayou Drive, who expressed her support in the re-assessments that were performed in Terrebonne Parish by the Parish Assessor. Ms. Matherne, however, expressed concern regarding the majority of the tax payers being hit the hardest with the increase were middle class.

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

Mr. C. Voisin moved, seconded by Mr. R. Boudreaux, "THAT, the Council close the aforementioned public hearing."  
\*(MOTION VOTED ON AFTER DISCUSSION.)

The Chairman recognized Mrs. Jamie Elfert, Comptroller, who explained how some of the Road Lighting Districts' taxes were rolled back.

A discussion ensued among Council Members relative to the evaluation of the taxing structure of Terrebonne Parish needing to be addressed.

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. R. Boudreaux, Jr.

SECONDED BY: Mr. C. Voisin.

#### ORDINANCE NO. 6323

AN ORDINANCE LEVYING SPECIAL TAXES FOR THE YEAR 2000 ON ALL PROPERTY SITUATED WITHIN THE BOUNDARIES OF THE FOLLOWING PARISHWIDE AND SPECIAL DISTRICTS IN THE PARISH OF TERREBONNE SUBJECT TO TAXATION AND ASSESSMENT UNDER THE LOUISIANA CONSTITUTION OF 1974.

#### SECTION I

BE IT ORDAINED by the Parish Council of the Parish of Terrebonne, assembled as such on October 25, 2000, that the following millages are hereby levied for the current year 2000 on all property not exempt under the Louisiana Constitution of 1974 situated within the boundaries of the following parishwide and special districts in the Parish of Terrebonne:

- A. Drainage - .99 mills (Bonds)  
7.31mills ( O &M)
- B. Road and Bridge - 1.08 mills (Bonds)
- C. Fire District 5 - 12.12 mills (O & M)
- D. Fire District 8 - 9.79 mills (O & M)
- E. Fire District 9 - 14.68 mills
- F. City Alimony Tax - 6.75 mills  
City Fire Protection - 5.08 mills  
City Police Protection - 5.08 mills

- G. Parish Alimony:
  - Inside City - 1.55 mills
  - Outside City - 3.09 mills
- H. Terrebonne Juvenile Detention - 1.00 mill
- I. Health Unit - 1.66 mills
- J. Recreation - 2.21 mills
- K. Retarded Citizens - 5.33 mills
- L. Sanitation - 11.49 mills
- M. Mental Health - .42 mills
- N. Council on Aging – 7.50 mills
- O. Road Lighting District No. 1 - .95 mills
- P. Road Lighting District No. 2 – 2.23 mills
- Q. Road Lighting District No. 3A – 2.81 mills
- R. Road Lighting District No. 4 – 2.05 mills
- S. Road Lighting District No. 5 – 6.30 mills
- T. Road Lighting District No. 6 – 3.05 mills
- U. Road Lighting District No. 7 – 1.98 mills
- V. Road Lighting District No. 8 – 1.05 mills
- W. Road Lighting District No. 9 - .95 mills
- X. Road Lighting District No. 10 -4.89 mills
- Y. Road District No. 6 – 3.63 mills (Bonds)  
.05 mills (O & M)

SECTION II

BE IT FURTHER ORDAINED that the proper Administrative officers of the Parish of Terrebonne, State of Louisiana, be and they are hereby empowered, authorized and directed to spread said tax as hereinabove set forth, upon the assessment roll of said Parish for the year 2000 and to make the collection of the taxes imposed for and on behalf of said Parish according to law, and that the taxes herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

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 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: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

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The Chairman recognized the public for comments on the following:

- B. A proposed ordinance that will set the millage rates for the Terrebonne Parish Youth Center.

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

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

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. R. Boudreaux, Jr.  
SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 6324

AN ORDINANCE LEVYING A SPECIAL TAX FOR THE YEAR 2000 ON ALL PROPERTY SITUATED IN THE PARISH OF TERREBONNE SUBJECT TO TAXATION AND ASSESSMENT UNDER THE LOUISIANA CONSTITUTION OF 1974.

SECTION I

BE IT ORDAINED, by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana, acting as the governing authority in a public hearing held on October 11, 2000, which hearing was conducted in accordance with the open meetings law and the additional requirements of Article VII, Section 23(C) of the Constitution:

SECTION II

BE IT ORDAINED by the Terrebonne Parish Council, Parish of Terrebonne, State of Louisiana, in regular session assembled that the .92 adjusted millage rate be hereby levied for the current year 2000, on all property not exempt under the Louisiana Constitution of 1974 situated in the Parish of Terrebonne.

SECTION III

BE IT FURTHER ORDAINED that the said tax when collected will be apportioned and set apart for the purchase or otherwise acquire, construct, reconstruct, rehabilitate, improve, repair, operate, lease as lessor or lessee, manage and administer or enter into contracts for the management, administration and operation of a YOUTH CENTER useful, necessary, expedient, or convenient to carry out the plans and purposes in accordance with the provisions of the Louisiana Revised Statutes 15:1099.

SECTION IV

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 V

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: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

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Mr. C. Voisin moved, seconded by Mr. J. B. Breaux, "THAT, the Council allow an add-on to the agenda to address a proclamation for L. J. Foret Day."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.  
SECONDED: Unanimously.

RESOLUTION NO. 00-386

WHEREAS, Mr. L.J. Foret is a native of Terrebonne Parish born the year 1930, and

WHEREAS, Mr. Foret began his career at the young age of fourteen along with his dad and a band called Town Serenaders, and

WHEREAS, he hosted his own radio show on KCIL in 1949 and was then drafted into the armed services into 1952 to serve during the Korean War. During his two years in the military he hosted a Korean Radio show on KCOMZ every Saturday morning, and

WHEREAS, during his military service he tirelessly entertained the troops on the front line going from camp to camp with his guitar in one arm and a M2 rifle on the other. He was granted a letter of commendation from the general in charge, and

WHEREAS, upon returning to the states, he continued his love for music and formed his own band "L.J. Foret and His Country Boys". He soon recorded his French music with his first record in the early 1960's and later developed his own television show, and

WHEREAS, Mr. Foret has given much help to organizations such as; Marine Corps for Tots, The Lions Club, Muscular Dystrophy, The American Red Cross, Shriners and many other personal benefits. He has performed with many celebrities such as Loretta Lynn, Mel Tillis, Mini Pearl, Jack Green, Jimmy C. Newman, Jerry Lee Lewis, Ernest Tubb, Stonewall Jackson, and Conway Twitty. His popularity has come with recordings like Baby Sister, Little Red Dress, Little Girl from Houma, No Christmas for the Poor, and many more.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, does hereby proclaim, Saturday, October 28, 2000, as "L.J. Foret Day" in Terrebonne Parish, Houma, Louisiana.

THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

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The Chairman recognized Mr. L. J. Foret, who thanked the Council and Parish President for the proclamation.

Mr. R. Boudreaux moved, seconded by Ms. C. Duplantis, "THAT, it now being 6:30 p.m., the Council open public hearings."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Council Clerk Paul Labat who canvassed the following results of the October 7, 2000 election for the proposed 4 mills property tax for Parishwide recreation:

**RECREATION MILLAGE PROPOSITION**

2,576 – In Favor of  
6,995 – Against  
4,419 – Majority Against – Defeated

Mr. R. Boudreaux moved, seconded by Mr. J. B. Breaux, "THAT, the Council confirm the following election returns and declare the result of the special election held in the Parish of Terrebonne, State of Louisiana, on Saturday, October 7, 2000: Parishwide Recreation Millage Proposition was defeated: 2,576 – In Favor of; 6,995 – Against; 4,419 – Majority Against."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The following resolution was offered by Harold Lapeyre and seconded by Christa Duplantis:

RESOLUTION NO. 00-387

A resolution providing for the opening of the sealed bids received for the purchase of \$4,500,000 of Public Improvement Bonds, Series ST-2000, of the Parish of Terrebonne, State of Louisiana, approving the Official Notice of Bond Sale and the Official Statement in connection therewith, and authorizing the Parish President, the Council Chairman and the Council Clerk to sign copies of the Official Statement as evidence of the approval thereof.

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

SECTION 1. This Governing Authority does now proceed in open and public session to open the sealed bids received for the purchase of \$4,500,000) of Public Improvement Bonds, Series ST-2000 (the "Bonds"), of the Issuer, authorized and duly advertised for sale by virtue of a resolution adopted on September 13, 2000.

SECTION 2. The official Notice of Bond Sale and Official Statement prepared in connection with the sale of the Bonds, and the information contained therein, are hereby approved by this Governing Authority, and the Parish President, the Chairman and the Clerk of the Governing Authority of the Issuer are hereby authorized, empowered and directed to sign copies of the Official Statement as evidence of the approval of the Issuer.

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

YEAS: Wayne Thibodeaux, Ray Boudreaux, Jr., Christa Duplantis, J. B. Breaux, Harold Lapeyre, Clayton Voisin, Peter Rhodes, Daniel D. Henry and Alvin Tillman.

NAYS: None.

ABSTAINING: None

ABSENT: None.

And the resolution was declared adopted on this, 25<sup>th</sup> day of October, 2000.

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The Chairman recognized Mr. Jerry Osborne, Bond Counsel, who opened the five bids received for the purchase of \$4,500,000 of Public Improvement Bonds, Series ST-2000, of the Parish of Terrebonne. Mr. Osborne recommended that the Council accept the best bid of Morgan Keegan & Company with no premium, a net interest cost of \$2,877,349.17 with a total interest cost of 5.305949%.

The Chairman recognized the public for comments on the following:

C. A proposed ordinance that will accept the best bid for the purchase of \$4.5 million of Public Improvement Bonds, Series ST-2000.

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

Mr. J. B. Breaux moved, seconded by Mr. C. Voisin, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The following ordinance having been introduced at a duly convened meeting on October 11, 2000, and notice of its introduction published on October 13, 2000, was offered for final adoption by Mr. J. B. Breaux and seconded by Ms. Christa Duplantis:

ORDINANCE NO. 6325

An ordinance providing for accepting the bid for the purchase of \$4,500,000 of Public Improvement Bonds, Series ST-2000, of the Parish of Terrebonne, State of Louisiana.

WHEREAS, pursuant to the provisions of a Notice of Bond Sale dated September 13, 2000, published in the manner required by law, and pursuant to the provisions of a resolution adopted by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Terrebonne, State of Louisiana (the "Issuer"), on September 13, 2000, sealed bids were solicited for the purchase of \$4,500,000 of Public Improvement Bonds, Series ST-2000, of the Issuer (the "Bonds"), on October 25, 2000; and

WHEREAS, five (5) bids were received for the purchase of the Bonds; and

WHEREAS, this Governing Authority has found and determined and does hereby find and determine that the bid submitted by Morgan Keegan & Company, Inc., of New Orleans, Louisiana (the "Purchaser"), is the best bid received for the Bonds, and such bid complies with all terms and conditions prescribed by the Revised Notice of Bond Sale and Official Statement; and

WHEREAS, this Governing Authority desires to accept said bid and to take such action as may be necessary to accomplish the delivery of the Bonds to the Purchaser;

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

SECTION 1. The bid of the Purchaser for the purchase of the Bonds, a copy of which is annexed hereto as Exhibit A, is hereby accepted and the Bonds are hereby awarded in compliance with the terms of the bid.

SECTION 2. The sure bid in the amount of \$45,000 accompanying said bid is hereby accepted in accordance with and subject to the Revised Notice of Bond Sale.

SECTION 3. When the Bonds have been properly prepared, this Governing Authority is hereby authorized to deliver the Bonds to the Purchaser upon the payment of \$4,500,000 and accrued interest to the date of delivery.

SECTION 4. This Governing Authority hereby finds that due diligence has been exercised in preparing the Bonds for sale and in preparing the Official Statement pertaining to the Bonds, and in view of that fact, the Governing Authority of the Issuer are hereby authorized and directed to execute and deliver to the successful bidder, as set forth herein, at the time of closing, a certificate which shall be substantially in the form of the certificate annexed hereto as Exhibit B.

SECTION 5. The foregoing ordinance shall take effect immediately upon its adoption.

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

YEAS: Wayne Thibodeaux, Ray Boudreaux, Jr., Christa Duplantis, J. B. Breaux, Harold Lapeyre and Clayton Voisin, Peter Rhodes, Daniel D. Henry and Alvin Tilman,

NAYS: None.

ABSTAINING: None.

ABSENT: None.

And the ordinance was declared adopted on this, 25th day of October, 2000.

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The Chairman recognized the public for comments on the following:

D. A proposed ordinance that will provide for the issuance of \$4.5 million of Public Improvement Bonds, Series ST-2000.

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.



The following ordinance, having been introduced at a duly convened meeting on October 11, 2000, notice of its introduction having been published on October 13, 2000, and a public hearing having been held on October 25, 2000, was offered for final adoption by Mr. Ray Boudreaux, Jr. and seconded by Mr. Clayton Voisin:

ORDINANCE NO. 6326

An ordinance providing for the issuance of Four Million Five Hundred Thousand Dollars (\$4,500,000) of Public Improvement Bonds, Series ST-2000, of the Parish of Terrebonne, State of Louisiana; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal on such bonds; authorizing an agreement with the Paying Agent; providing for the employment of special bond counsel; and providing for other matters in connection therewith.

WHEREAS, the Parish of Terrebonne, State of Louisiana (the "Issuer"), is now levying and collecting a parishwide one percent (1%) sales and use tax by virtue of a resolution adopted by the Police Jury of the Parish of Terrebonne, State of Louisiana, on October 14, 1964, as amended, under the authority of Act No. 500 of the Regular Session of the Legislature of Louisiana for the year 1964, and a special election held in the Issuer on September 15, 1964, at which election the following proposition was approved by a majority of the qualified electors voting at such election, viz:

**PROPOSITION**

Shall the Parish of Terrebonne, State of Louisiana, under the provisions of Act No. 500 of the Regular Session of the Legislature of Louisiana for the year 1964, and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect a tax of one per cent (1%) upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and upon the sale of services, as presently defined in R.S. 47:301 to 47:317, inclusive, with the avails or proceeds of said tax (after paying reasonable and necessary costs and expenses of collecting and administering the tax) being allocated and distributed monthly in equal amounts between the Mayor and Board of Aldermen of the City of Houma, Louisiana, and the Parish School Board of the Parish of Terrebonne, Louisiana, until each has received Five Hundred Thousand Dollars (\$500,000.00) in each calendar year, after which all of the remaining avails or proceeds of such tax for the calendar year shall be allocated and paid to the Police Jury of the Parish of Terrebonne, Louisiana, until Five Hundred Thousand Dollars (\$500,000.00) has been paid to the Parish during the same calendar year, and after this first One Million Five Hundred Thousand Dollars (\$1,500,000.00) of net avails or proceeds of said tax have been so paid during any calendar year, any remaining avails or proceeds of said tax shall be distributed equally between said Mayor and Board of Aldermen, said Parish School Board and said Police Jury; said avails or proceeds of the tax to be subject to funding into negotiable bonds in the manner provided in said Act No. 500 of 1964 and to be dedicated and used by the various political subdivisions for the following purposes:

1. The avails or proceeds of said tax received by the City of Houma, through its governing authority, shall be used for the purpose of constructing, acquiring, extending and/or improving waterworks (including raw water supply, treatment and distribution), drainage, sewerage, streets (including surfacing, repair and street lighting), sidewalks, bridges, public parks (including parkways beautification), recreational facilities, police stations and jail, fire stations and equipment, maintenance shops and warehouse and other public buildings, as well as purchasing equipment necessary for the operation of the various municipal departments, title to which shall be in the public;
2. The avails or proceeds of the tax received by the Terrebonne Parish School Board shall be used solely for the purpose of acquiring lands for building sites and playgrounds, purchasing, erecting and improving school buildings and related school facilities and acquiring the necessary equipment and furnishings therefor, title to which shall be in the public, and/or for the purpose of maintaining such school buildings, equipment, furnishings and related school facilities;
3. The avails or proceeds of the tax received by the Parish of Terrebonne, through its governing authority, shall be used for any lawful corporate purpose for which its governing authority may appropriate parish revenues and such avails or proceeds may be deposited in the general fund of the Parish?

WHEREAS, the Issuer has levied and provided for the collection of a parishwide one-fourth of one percent (1/4%) sales and use tax by virtue of a resolution adopted by the Police Jury of the Parish of Terrebonne, State of Louisiana, on February 25, 1981, under the authority of Article 6, Section 29 of the Louisiana Constitution of 1974 and other constitutional and statutory authority supplemental thereto, and a special election held in the Issuer on October 27, 1979, at which the following proposition was approved by a majority of the qualified electors voting in said election, viz:

PROPOSITION NO. 1

"Shall the Parish of Terrebonne, State of Louisiana, under the provisions of Article 6, Section 29 of the Louisiana Constitution of 1974, and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect a tax of one-fourth of one percent (1/4%) upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in said Parish, as presently defined in R.S. 47:301 through 47:317, with the avails or proceeds of said tax (after paying the reasonable and necessary costs of administering and collecting said

tax) being dedicated and expended for the purpose of constructing, acquiring, extending and/or improving (a) hospital facilities for Terrebonne General Hospital, (b) sewers, sewerage disposal works and related facilities for pollution control and abatement, (c) a multi-purpose Civic and Community Center and related facilities, and (d) any other public works or capital improvements for said Parish or any portion thereof, including any necessary sites, equipment or furnishings therefor, and for the purpose of paying any bonds or debt obligations of said Parish issued for such purposes; and further shall the avails or proceeds of said tax and the avails or proceeds of the Police Jury's portion of the one percent (1%) parishwide sales and use tax now being levied and collected under the authority of Act 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 (such avails or proceeds of both taxes being hereinafter referred to as "tax proceeds") be subject to funding into negotiable bonds of said Parish to mature over a period of twenty (20) years from date thereof, to bear interest at a rate or rates not exceeding eight per centum (8%) per annum and to be issued in such principal amounts as may be required for the above stated purposes and payment of the costs of issuance of such bonds and providing a reserve for the payment thereof; provided, however:

- (1) That priority shall be given to the issuance and sale of \$20,000,000 of said bonds for the Terrebonne General Hospital purpose as set forth in item (a) above, \$13,500,000 of said bonds for the sewer purpose as set forth in item (b) above and \$6,000,000 of said bonds for the Civic and Community Center purpose as set forth in item (c) above (such amounts to include issuance expenses and funding of bond reserves) and no other bonds payable from the tax proceeds shall be issued and sold unless the Police Jury finds and determines that sufficient debt capacity remains for the issuance and sale of any unissued portion of said priority bonds;
- (2) That the one-fourth of one percent (1/4%) sales and use tax hereby authorized shall not be collected by said Police Jury until the Police Jury's authority to levy and collect the existing one-fourth of one percent (1/4%) hospital sales and use tax (voted May 25, 1976) has terminated as a result of the payment, or defeasance and provisions for payment in the manner set out in R.S. 39:1442, of all outstanding Public Hospital Bonds, Series 1977 and 1978, dated March 1, 1977 and March 1, 1978, by the formal call of such outstanding bonds for redemption on the earliest possible call date and the irrevocable deposit in trust of a sufficient amount of funds then on deposit in the Sales Tax Hospital Fund, Public Hospital Bonds Sinking Fund, Public Hospital Bonds Reserve Fund and Public Hospital Bonds, Series 1977 and 1978, Hospital Construction Trust Funds established by resolutions adopted by said Police Jury on January 26, 1977, March 2, 1977 and March 8, 1978;
- (3) That the balance on deposit in the various funds named in item (2) above after providing for payment or defeasance of the outstanding Public Hospital Bonds, Series 1977 and 1978 as provided in item (2) above shall be dedicated for the purpose of constructing, acquiring and improving hospital facilities for Terrebonne General Hospital, including any necessary buildings, equipment, furnishings and sites therefor?"

WHEREAS, at a special election held in the Issuer on January 16, 1982, the majority of the qualified electors voting in said election approved the issuance of sales tax bonds authorized at said special election of October 27, 1979, at a rate or rates not exceeding twelve per centum (12%) per annum; and

WHEREAS, effective January 1, 1984, this governing authority succeeded the Terrebonne Parish Police Jury as the governing authority of the Issuer; and

WHEREAS, in accordance with the provisions of said resolution of October 14, 1964, a portion of the net avails or proceeds of the aforesaid 1% tax (after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom) shall be available for appropriation and expenditure by the Issuer for the purposes designated in the proposition authorizing the levy of the aforesaid 1% tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, in accordance with the provisions of said resolution of February 25, 1981, the net avails or proceeds of the aforesaid 1/4% tax (after the reasonable and necessary costs and expenses of the collection and administration thereof have been paid therefrom) shall be available for appropriation and expenditure by the Issuer for the purposes designated in the proposition authorizing the levy of the aforesaid 1/4% tax, which includes the payment of bonds authorized to be issued in accordance with Louisiana law; and

WHEREAS, this governing authority desires to issue bonds payable from a pledge and dedication of the Issuer's portion (approximately 1/3) of the avails or proceeds of the special one percent (1%) sales and use tax now being levied and collected and the avails or proceeds of the special one-fourth of one percent (1/4%) sales and use tax now being levied and collected, all in accordance with Act No. 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 and Article VI, Section 29 of the Louisiana Constitution of 1974, and Sub-Part F, Part III, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, for the purpose of constructing, acquiring, extending and/or improving public works or capital improvements for the Issuer, including any necessary sites, equipment or furnishings therefor, title to which shall be in the public, providing a reserve therefor and paying the cost of issuance; and

WHEREAS, the average annual revenues derived by the Issuer from its portion of the aforesaid 1% tax (1/3) for the last two (2) completed fiscal years (ending December 31) are as follows:

Fiscal Year 1998	\$5,036,096
Fiscal Year 1999	\$4,580,604
AVERAGE	\$4,808,350

WHEREAS, the average annual revenues derived by the Issuer from its portion of the aforesaid 1/4% tax allocated for capital improvements for the last two (2) completed fiscal years (ending December 31) are as follows:

Fiscal Year 1998	\$3,777,072
Fiscal Year 1999	\$3,435,453
AVERAGE	\$3,606,263

WHEREAS, other than the Bonds herein authorized or the Refunded Bonds, the Issuer has outstanding no bonds or other obligations of any kind or nature payable from or enjoying a lien on the portion of the aforesaid taxes herein pledged, EXCEPT:

\$5,915,000 of outstanding Public Improvement Sewer Bonds, Series 1994, maturing March 1, 2001 to March 1, 2014, inclusive; and

\$12,565,000 of outstanding Public Improvement Bonds, Series ST-1998A, dated November 1, 1998, maturing March 1, 2001 to March 1, 2018, inclusive; and

\$2,925,000 of outstanding Public Improvement Sewer Refunding Bonds, Series ST-1998B, dated November 1, 1998, maturing March 1, 2001 to March 1, 2006, inclusive (collectively, the "Outstanding Parity Bonds");

WHEREAS, under the terms and conditions of the ordinances adopted by the governing authority of the Issuer authorizing the issuance of the Outstanding Parity Bonds (the "Parity Bond Ordinances"), the Issuer has authority to issue additional bonds on a complete parity with said Outstanding Parity Bonds under the terms and conditions provided therein; and

WHEREAS, the Issuer has determined that all the terms and conditions specified in the Parity Bond Ordinances have been or will be complied with prior to the delivery of the Bonds, and it is the express desire and intention of the Issuer that the Bonds (hereinafter defined) be issued on a complete parity with the Outstanding Parity Bonds; and

WHEREAS, the maturities on the hereinafter described Bonds have been arranged so that the total amount of principal and interest falling due in any year on the Bonds and the Outstanding Parity Bonds will never exceed 75% of the Issuer's portion of the proceeds of the aforesaid 1% tax and the aforesaid 1/4% tax estimated to be received by the Issuer in the calendar year (2000) in which the Bonds are to be issued (which amount is hereby estimated to be at least \$7,600,000, and will provide a coverage of at least 2-1/2 times the highest annual debt service on the Outstanding Parity Bonds and the Bonds being issued in any future calendar year); and

WHEREAS, it is now desired to fix the details necessary with respect to the issuance of the Bonds and to provide for the authorization and issuance thereof, as hereinafter provided, said Bonds having been advertised for sale by virtue of a resolution adopted by this governing authority on July 12, 2000;

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:

SECTION 1. Definitions. As used herein, the following terms shall have the following meanings, unless the context otherwise requires:

"Act" means Sub-Part F, Part III, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended.

"Additional Parity Bonds" means any issue of additional *pari passu* bonds hereafter issued by the Issuer pursuant to Section and payable from Revenues of the Taxes on a parity with the Bonds.

"Agreement" means the agreement to be entered into between the Issuer and the Paying Agent pursuant to this Bond Ordinance.

"Bond" or "Bonds" collectively means the Public Improvement Bonds, Series ST-2000 of the Issuer issued by this Bond Ordinance in the total aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) (the "Bonds"), and any bonds of said issue, whether initially delivered or issued in exchange for, upon transfer of, or *in lieu* of any previously issued.

"Bond Insurance Policy" shall mean the municipal bond new issue insurance policy issued by the Bond Insurer that guarantees payment of principal of and interest on the Bonds.

"Bond Insurer" shall mean Financial Guaranty Insurance Company, a New York stock insurance company, or any successor thereto.

"Bond Ordinance" means this ordinance authorizing the issuance of the Bonds.

**"Bond Register"** means the registration books of the Paying Agent 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 March 1 of each year, the principal payment dates for the Bonds.

**"Business Day"** means a day of the year on which banks located in the cities in which the principal corporate trust offices of the Paying Agent are located are not required or authorized to remain closed and on which the New York Stock Exchange is not closed.

**"Capital Improvement Sales Tax"** means the one-fourth of one percent (1/4%) sales and use tax authorized under the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974 and other constitutional and statutory authority, and in compliance with a special election held in the Parish of Terrebonne on October 27, 1979, said tax having been levied and provisions made for its collection by a resolution adopted by the governing authority of the Issuer on February 25, 1981.

**"Code"** means the Internal Revenue Code of 1986, as amended.

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

**"Fiscal Year"** means the twelve-month accounting period commencing on the first day of January or any other twelve-month accounting period 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.

**"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 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 March 1 and September 1 of each year, commencing March 1, 2001.

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

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

- (a) Bonds theretofore cancelled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (a) Bonds for whose payment or redemption sufficient funds have been theretofore deposited with the Paying Agent in trust for the Owners of such Bonds as provided in Section , provided that, if such Bonds are to be redeemed, irrevocable notice of such redemption has been duly given or provided for pursuant to this Bond Ordinance, to the satisfaction of the Paying Agent, or waived;
- (a) Bonds in exchange for or *in lieu* of which other Bonds have been registered and delivered pursuant to this Bond Ordinance; and
- (a) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Bond Ordinance.

**"Outstanding Parity Bonds"** means the Issuer's outstanding Public Improvement Sewer Bonds, Series 1994, Public Improvement Bonds, Series ST-1998A and Public Improvement Sewer Refunding Bonds, Series ST-1998B, as described in the preamble of this Bond Ordinance.

**"Outstanding Parity Bond Ordinances"** means the ordinances adopted by this Governing Authority on September 14, 1994, and September 23, 1998, which authorize the issuance of the Outstanding Parity Bonds.

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

**"Parish Sales Tax"** means the Issuer's allocation or portion [approximately one-third (1/3)] of the special parishwide one percent (1%) sales and use tax authorized under the provisions of Act No. 500 of the Regular Session of the Legislature for the State of Louisiana for the year 1964 and at a special election held in the Parish on September 15, 1964 and levied and collected pursuant to a resolution adopted by the Police Jury on October 14, 1964, as amended, said allocation or portion being more fully described in said Act No. 500 of 1964 and the foregoing proposition approved at the special election held on September 15, 1964.

**"Paying Agent"** means Bank One Trust Company, N.A., in the City of New Orleans, Louisiana, until a successor Paying Agent shall have become such pursuant to the applicable provisions of this Bond Ordinance, and thereafter Paying Agent shall mean such successor Paying Agent.

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

**"Purchaser"** means the original purchaser or purchasers of the Bonds.

**"Record Date"** for the interest payable on any Interest Payment Date means the 15th calendar day of the month next preceding such interest payment date, whether or not such day is a Business Day.

**"Reserve Fund Requirement"** means, as of any date of calculation, a sum equal to the highest combined principal and interest requirements for any succeeding Fiscal Year on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds.

**"Revenues of the Taxes" or "Taxes"** means collectively the Parish Sales Tax and the Capital Improvement Sales Tax.

**"Sales Tax Resolutions"** means the resolutions adopted by the Terrebonne Parish Police Jury on October 14, 1964, as amended by a resolution adopted on May 12, 1965.

SECTION 2. Authorization of Bonds. In compliance with and under the authority of Sub-Part F, Part III, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and having been authorized at elections held within the corporate boundaries of the Issuer on September 15, 1964, October 27, 1979 and January 16, 1982, there is hereby authorized the incurring of an indebtedness of Four Million Five Hundred Thousand Dollars (\$4,500,000) for, on behalf of and in the name of the Issuer, for the purpose of constructing, acquiring, extending and/or improving public works or capital improvements for the Issuer, or any portion thereof, including any necessary sites, equipment or furnishings therefor, title to which shall be in the public, providing for a reserve therefor and paying the costs of issuance of the Bonds, and to represent the said indebtedness, this Governing Authority does hereby authorize the issuance of Four Million Five Hundred Thousand Dollars (\$4,500,000) of Public Improvement Bonds, Series ST-2000, of the Issuer.

(b) The Bonds shall be in fully registered form, shall be dated November 1, 2000, shall be in the denomination of Five Thousand Dollars (\$5,000) each or any integral multiple thereof within a single maturity, shall be numbered consecutively from R-1 upward, shall bear interest from date thereof or the most recent Interest Payment Date to which interest has been paid or duly provided for, payable on March 1, 2001, and semi-annually thereafter on March 1 and September 1 of each year, at the following rates of interest per annum, and shall become due and payable and mature serially on March 1 of each year as follows:

<u>DATE</u> <u>(MARCH 1)</u>	<u>PRINCIPAL</u> <u>PAYMENT</u>	<u>INTEREST</u> <u>RATE</u>	<u>DATE</u> <u>(MARCH 1)</u>	<u>PRINCIPAL</u> <u>PAYMENT</u>	<u>INTEREST</u> <u>RATE</u>
2002	\$130,000	7.00%	2012	\$240,000	5.10%
2003	140,000	5.40	2013	250,000	5.10
2004	150,000	5.15	2014	270,000	5.10
2005	160,000	5.05	2015	285,000	5.15
2006	170,000	5.00	2016	300,000	5.25
2007	180,000	5.05	2017	320,000	5.30
2008	190,000	6.00	2018	340,000	5.35
2009	200,000	6.00	2019	360,000	5.40
2010	210,000	5.35	2020	380,000	5.40
2011	225,000	5.10			

The principal of the Bonds, upon maturity or redemption, shall be payable at the principal corporate trust office of the Paying Agent, upon presentation and surrender thereof, and interest on the Bonds will be payable by check mailed by the Paying Agent to the Owner (determined as of the close of business on the Record Date) at the address shown on the Bond Register. Each Bond delivered under this Bond Ordinance upon transfer or in exchange for or *in lieu* of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond, and each such Bond shall bear interest (as herein set forth) so that neither gain nor loss in interest shall result from such transfer, exchange or substitution. No Bond shall be entitled to any right or benefit under this Bond Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond a certificate of registration, substantially in the form provided in this Bond Ordinance, executed by the Paying Agent by manual signature.

SECTION 3. Redemption of Bonds. Those Bonds maturing March 1, 2011, and thereafter, will be callable for redemption by the Issuer in whole at any time on or after March 1, 2010, or in part, in the inverse order of their maturities, and if less than a full maturity, then by lot within such maturity, on any Interest Payment Date on or after March 1, 2010, at the redemption prices, expressed as a percentage of the principal amount of each Bond redeemed, as set forth below, together with accrued interest to the date fixed for redemption:

<u>Period During Which Redeemed</u> <u>(Both Dates Inclusive)</u>	<u>Redemption</u> <u>Prices</u>
March 1, 2010 to February 28, 2011	102%
March 1, 2011 to February 29, 2012	101%
March 1, 2012 and thereafter	100%

In the event a Bond is of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any multiple thereof) may be redeemed. Official notice of such call of any of the Bonds for redemption will be given by first class mail, postage prepaid, by notice deposited in the United States mails not less than thirty (30) days prior to the redemption date addressed to the registered owner of each Bond to be redeemed at his address as shown on the registration books of the Paying Agent.

SECTION 4. Registration, Transfer and Exchange of Bonds. Issuer shall cause the Bond Register to be kept at the principal office of the Paying Agent. The Bonds may be transferred, registered and assigned only on the Bond Register, and such registration shall be at the expense of the Issuer. A Bond may be assigned by the execution of an assignment form on the Bonds or by other instruments of transfer and assignment acceptable to the Paying Agent. A new Bond or Bonds of the same series will be delivered by the Paying Agent to the last assignee (the new Owner) in exchange for such transferred and assigned Bonds after receipt of the Bonds to be transferred in proper form. Such new Bond or Bonds shall be in the denomination of \$5,000 for any one maturity, or any integral multiple thereof within a single maturity. Neither the Issuer nor the Paying Agent shall be required to issue, register, transfer or exchange (i) any Bond during a period beginning at the opening of business on a Record Date and ending at the close of business on the Interest Payment Date, or (ii) any Bond called for redemption prior to maturity, during a period beginning at the opening of business fifteen (15) days before the date of the mailing of a notice of redemption of such Bond and ending on the date of such redemption.

SECTION 5. Form of Bonds. The Bonds and the endorsements to appear thereon shall be in substantially the following forms, respectively, to-wit: (SEE FORMS ATTACHED)

SECTION 6. Execution of Bonds. The Bonds shall be signed by the Executive Officers for, on behalf of, in the name of the Issuer and under the corporate seal of the Issuer, and the Legal Opinion Certificate shall be signed by the Clerk to the Governing Authority, which signatures may be either manual or facsimile.

SECTION 7. Registration of Bonds by Secretary of State. The Bonds shall be registered with the Secretary of State of Louisiana as provided by law and shall bear the endorsement of the Secretary of State of Louisiana in substantially the form set forth herein, provided such endorsement shall be manually signed only on the Bonds initially delivered to the Purchaser; any bonds subsequently exchanged therefor as permitted in this Bond Ordinance may bear the facsimile signature of said Secretary of State.

SECTION 8. Recital of Regularity. This Governing Authority, having investigated the regularity of the proceedings had in connection with this issue of Bonds, and having determined the same to be regular, 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."

SECTION 9. Pledge of Tax Revenues. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest solely from an irrevocable pledge and dedication of the avails or proceeds of (i) the Issuer's portion (approximately 1/3) of the one percent (1%) sales and use tax now being levied and collected under the authority of Act No. 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 pursuant to an election held on September 15, 1964, and (ii) the one fourth of one percent (1/4%) sales and use tax of the Issuer now being levied and collected under the authority of Article VI, Section 29 of the Louisiana Constitution of 1974, pursuant to an election held on October 27, 1979, after there have first been paid from the gross avails or proceeds of the Taxes the reasonable and necessary costs and expenses of collecting and administering the Taxes, all as

more fully provided in the Ordinance providing for the levy and collection of the Taxes. Said net avails or proceeds be and they are hereby irrevocably and irrevocably pledged and dedicated in an amount sufficient for the payment of the Bonds and the Outstanding Parity Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Ordinance. All of the avails or proceeds of the Taxes shall be set aside in a separate fund, as provided herein and in the Outstanding Parity Bond Ordinance, and shall be and remain pledged for the security and payment of the Bonds in principal and interest and for all other payments provided for in this Bond Ordinance until the Bonds shall have been fully paid and discharged.

SECTION 10. Flow of Funds. The Issuer by proper resolutions and/or ordinances, hereby obligates itself to continue to levy and collect the Taxes and not to discontinue or decrease or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, nor in any way make any change which would diminish the amount of the Revenues of the Taxes to be received by the Issuer until all of the Bonds and the Outstanding Parity Bonds have been paid as to both principal and interest. In order that the principal of and the interest on the Bonds and the Outstanding Parity Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Issuer further covenants as follows:

All avails or proceeds derived from the levy and collection of the Taxes shall be deposited daily as the same may be collected in separate and special bank accounts maintained with the regularly designated fiscal agent of the Issuer and designated as the "Sales Tax Capital Improvement Fund" (hereinafter called the "Sales Tax Fund").

Out of the funds on deposit in the Sales Tax Fund, the Issuer shall first pay all reasonable and necessary costs and expenses of collection and administration of the Taxes. After payment of such expenses, the remaining balance of the proceeds of the Taxes shall be used in the following order of priority and for the following express purposes:

(a) The maintenance of the "Capital Improvement Bond Sinking Fund" (hereinafter called the "Sinking Fund"), sufficient in amount to pay promptly and fully the principal of and interest on the Bonds, the Outstanding Parity Bonds, and any Additional Parity Bonds, in the manner provided by this Bond Ordinance, as they severally become due and payable, by transferring from the Sales Tax Fund, monthly in advance, on or before the 20th day of each month of each year for the period from November 1, 2000 and ending February 28, 2001, a sum equal to one-fourth (1/4) of the interest falling due on the Bonds on March 1, 2001, and one-twelfth (1/12) of the principal of and one-sixth (1/6) of the interest on the Outstanding Parity Bonds falling due on March 1, 2001, and thereafter, one-sixth (1/6) of the interest falling due on the Bonds and the Outstanding Parity Bonds on the next Interest Payment Date and one-twelfth (1/12) of the principal falling due on the Bonds and the Outstanding Parity Bonds on the following Principal Payment Date, together with such additional proportionate sum as may be required to pay said principal and interest as the same respectively become due. The regularly designated fiscal agent of the Issuer shall transfer from the Sinking Fund to the paying agent bank or banks for all bonds payable from the Sinking Fund, at least five (5) days in advance of the date on which payment of principal or interest falls due, funds fully sufficient to pay promptly the principal and interest so falling due on each such date.

(b) The maintenance of the Capital Improvement Bond Reserve Fund (hereinafter called the "Reserve Fund"), with the regularly designated fiscal agent of the Issuer. The money in the Reserve Fund is to be retained solely for the purpose of paying the principal of and the interest on the Bonds payable from the aforesaid Sinking Fund as to which there would be otherwise be default (except for certain earnings which may be owed to the United States pursuant to Section 148(f) of the Code). Upon delivery of the Bonds, there shall be deposited in the Reserve Fund an amount of proceeds of the Bonds sufficient to cause the balance in the Reserve Fund to be equal to the Reserve Fund Requirement. In the event that Additional Parity Bonds are issued hereafter in the manner provided by this Bond Ordinance, there shall be deposited into the Reserve Fund, from the proceeds of such Additional Parity Bonds and/or from the proceeds of the Taxes or from any other source provided by the Issuer, such additional amounts (as may be designated in the ordinance authorizing the issuance of such Additional Parity Bonds) 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.

If at any time it shall be necessary to use moneys in the Reserve Fund for the purpose of paying principal or interest on Bonds as to which there would otherwise be default, then the moneys so used shall be replaced from the revenues first thereafter received by the Sales Tax Fund, not hereinabove required to pay the expenses of collecting and administering the Taxes or to pay current principal and interest requirements, it being the intention hereof that there shall as nearly as possible be at all times in the Reserve Fund the amount hereinabove specified.

All moneys remaining in the Sales Tax Fund on the 20th day of each month in excess of all reasonable and necessary expenses of collection and administration of the Taxes and after making the required payments into the Sinking Fund and the Reserve Fund for the current month and for prior months during which the required payments may not have been made, shall be considered as surplus. Such surplus may be used by the Issuer for any of the purposes for which the imposition of the Taxes is authorized or for the purpose of retiring Bonds in advance of their maturities, either by purchase of Bonds then outstanding at prices not greater than the redemption prices of said Bonds or by retiring such Bonds at the prices and in the manner hereinbefore set forth in this Bond Ordinance.

All or any part of the moneys in the Reserve Fund shall at the written request of the Issuer be invested in direct obligations of the United States of America, maturing in five (5) years or less. The income on such funds shall be added to the Sales Tax Fund, provided that if the amount in the Reserve Fund at any time is less than the Reserve Fund Requirement, then any income derived from such

investments in the Reserve Fund shall be retained in the Reserve Fund. 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 herein created.

The Capital Improvement Sales Tax to the extent available shall be used first to make the above payments. Any moneys remaining in the Sales Tax Capital Improvement Fund on the 20th day of each month after making the required payments into the Bond Sinking Fund and the Bond Reserve Fund for the current month and for prior months during which the required payments may not have been made, shall be considered as surplus. Such surplus may be used by the Parish for the respective purpose for which the imposition of the Capital Improvement Sales Tax and the Parish Sales Tax are now or may hereafter be authorized by law, or for the purpose of retiring any Bonds, payable from the Bond Sinking Fund, in advance of their maturities, either by purchase of Bonds then outstanding at prices not greater than the then redemption prices of said Bonds or by retiring such Bonds at the prices and in the manner hereinabove set forth in this Bond Ordinance.

The Sales Tax Funds, the Sinking Fund, and the Reserve Fund provided for in this section shall all be and constitute trust funds for the purposes provided in this Bond Ordinance, and the Owners of Bonds issued pursuant to this Bond Ordinance are hereby granted a lien on all such funds until applied in the manner provided herein. The moneys in such funds shall at all times be secured to the full extent thereof by the bank or trust company holding such funds in the manner required by the laws of the State. To diversify the deposit of the moneys to be held by the fiscal agent bank, it is herewith determined to provide for such uninvested moneys in the funds herein established to be held in part by other banks now or hereafter located in the Parish in the manner designated from time to time by resolutions duly adopted by this Governing Authority. Such other bank or banks shall hold such moneys subject to the instructions of the fiscal agent bank as is required hereunder for their transfer, transmittal or expenditure. All of the provisions of this Bond Ordinance with respect to the manner in which moneys in the fiscal agent bank are to be held and are to be secured shall be applicable to moneys held by all banks.

In computing the amount in any fund provided for in this section, investments shall be valued at the lower of the cost or the market price, exclusive of accrued interest. Any deficiencies in the amount on deposit in any fund or account resulting from a decline in market value shall be restored no later than the succeeding valuation date. With respect to all funds and accounts (except the Reserve Fund), valuation shall occur annually. The Reserve Fund shall be valued semi-annually, except in the event of a withdrawal from the Reserve Fund, whereupon it shall be valued immediately after such withdrawal.

SECTION 11. Issuer Obligated to Continue to Collect Taxes. The Issuer does hereby obligate itself and is bound under the terms and provisions of law to levy, impose, enforce and collect the Taxes and to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Taxes, until all of the Bonds have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Issuer from altering, amending or repealing from time to time as may be necessary this Bond Ordinance or any subsequent resolution or ordinance providing with respect to the Taxes, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the Revenues of the Taxes. The Sales Tax Resolutions imposing the Taxes and pursuant to which the Taxes are being levied, collected and allocated, and the obligations to continue to levy, collect and allocate the Taxes and to apply the revenues therefrom in accordance with the provisions of this Bond Ordinance, shall be irrevocable until the Bonds have been paid in full as to both principal and interest, and shall not be subject to amendment in any manner which would impair the rights of the Owners from time to time of the Bonds or which would in any way jeopardize the prompt payment of principal thereof and interest thereon. More specifically, neither the Legislature of Louisiana nor the Issuer may discontinue or decrease the Taxes or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, or in any way make any change which would diminish the amount of the Revenues of the Taxes pledged to the payment of the Bonds and received by the Issuer, until all of such Bonds shall have been retired as to both principal and interest.

The Owners of any of the Bonds may, either at law or in equity, by suit, action, mandamus or other proceeding, enforce and compel performance of all duties required to be performed as a result of issuing the Bonds and may similarly enforce the provisions of any resolution or ordinance imposing the Taxes and the Bond Ordinance and proceedings authorizing the issuance of the Bonds.

SECTION 12. Covenants of the Issuer. In providing for the issuance of the Bonds, the Issuer does hereby covenant that it has a legal right to levy and collect the Taxes, to issue the Bonds and to pledge the Revenues of the Taxes as herein provided, and that the Bonds will have a lien and privilege on the Revenues of the Taxes subject only to the prior payment of the reasonable and necessary expenses of collecting and administering the Taxes.



SECTION 13. Bond Ordinance a Contract. The provisions of this Bond Ordinance shall constitute a contract between the Issuer and the Owner or Owners from time to time of the Bonds, and any Owner of any of the Bonds may either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by the Governing Authority as a result of issuing the Bonds, and may similarly enforce the provisions of the Sales Tax Resolutions imposing the Taxes and this Bond Ordinance.

SECTION 14. Records and Accounts Relating to Taxes. So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the revenues of the Taxes, including specifically but without limitation, all reasonable and necessary costs and expenses of collection.

Not later than three (3) months after the close of each Fiscal Year, the Issuer shall cause an audit of such books and accounts to be made by the Legislative Auditor of the State of Louisiana (or his successor) or by a recognized independent firm of certified public accountants showing an accounting of the receipts and disbursements made for the account of the Sales Tax Fund. Such audit shall be available for inspection upon request by the Owners of any of the Bonds. The Issuer further agrees that the Paying Agent and the Owners of any of the Bonds shall have at all reasonable times the right to inspect the records, accounts and data of the Issuer relating to the Taxes.

SECTION 15. Issuance of Refunding and Additional Parity Bonds. The Bonds shall enjoy complete parity of lien on the Revenues of the Taxes despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the Revenues of the Taxes having priority over or parity with the Bonds, except that bonds may hereafter be issued on a parity with the Bonds under the following conditions:

(a) The Bonds or any part thereof, including interest thereon, may be refunded with the consent of the Owners thereof (except that as to Bonds which are then subject to redemption and have been properly called for redemption, such consent shall not be necessary) 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 the refunding bonds require total principal and interest payments during any Bond Year in excess of the principal and interest which would have been required in such Bond Year to pay the Bonds refunded thereby, then such Bonds may not be refunded without consent of the Owners of the unrefunded portion of the Bonds issued hereunder.

(b) Additional Parity Bonds, including any other *pari passu* additional bonds as may at any later date be authorized at an election held by the Issuer or otherwise, may also be issued, and such Additional Parity Bonds shall be on a parity with the Bonds herein authorized if all of the following conditions are met:

(i) The Revenues of the Taxes for the calendar year immediately preceding the issuance of the Additional Parity Bonds must have been not less than two (2) times the highest combined principal and interest requirements for any succeeding calendar year period on all Bonds then outstanding, including any Additional Parity Bonds theretofore issued and then outstanding, and any other Bonds or other obligations whatsoever then outstanding which are payable from the Taxes (but not including Bonds which have been refunded or provision otherwise made for their full payment and redemption) and the Additional Parity Bonds so proposed to be issued;

(ii) The payments to be made into the various funds provided for in Section 10 hereof must be current;

(iii) The existence of the facts required by paragraphs (i) and (ii) above must be determined and certified to by the chief finance officer of the Issuer on the basis of the public audits, books, records and/or accounts relating to the Parish Sales Tax and the Capital Improvement Sales Tax, and for this purpose a system of cash receipts rather than accrued accounting shall be used; and

(iv) The Additional Parity Bonds must be payable as to principal on March 1st of each year in which principal falls due, beginning not later than three (3) years from the date of issuance of said Additional Parity Bonds and payable as to interest on March 1st and September 1st of each year.

SECTION 16. Fidelity Bonds for Officers and Employees. So long as any of the Bonds are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Taxes, to obtain or be covered by a blanket fidelity or faithful performance bond, or independent fidelity bonds written by a responsible indemnity company in amounts adequate to protect the Issuer from loss.

SECTION 17. Amendments to Bond Ordinance. No material modification or amendment of this Bond Ordinance, or of any ordinance amendatory hereof or supplemental hereto, may be made without the consent in writing of the Owners of two-thirds (2/3) of the aggregate principal amount of the Bonds then outstanding; provided, however, that no such modification or amendment shall permit a change in the maturity of the Bonds or the redemption provisions thereof, or a reduction in the rate of interest thereon, or the promise of the Issuer to pay the principal of and the interest on the Bonds as the same shall come due from the Revenues of the Taxes, or reduce the percentage of owners required to consent to any material modification or amendment of this Bond Ordinance, without the consent of the Owner or Owners of the Bonds.

SECTION 18. Mutilated, Destroyed, Lost or Stolen Bonds. If any mutilated Bond is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss, or theft of any Bond, and there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and upon its request the Paying Agent shall register and deliver, in exchange for or *in lieu* of any such mutilated, destroyed, lost, or stolen Bond, a new Bond of the same maturity and of like tenor and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost, or stolen Bond has become or is about to become due and payable, the Issuer in its discretion may, instead of issuing a new Bond, pay such Bond. Upon the issuance of any new Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this Section *in lieu* of any mutilated, destroyed, lost, or stolen Bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the mutilated, destroyed, lost, or stolen Bond shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Bond Ordinance equally and ratably with all other Outstanding Bonds. The procedures set forth in the Agreement authorized in this Bond Ordinance shall also be available with respect to mutilated, destroyed, lost or stolen Bonds. The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bonds.

SECTION 19. Discharge of Bond Ordinance. If the Issuer shall pay or cause to be paid, or there shall be paid to the Owners, the principal (and redemption price) of and interest on the Bonds, at the times and in the manner stipulated in this Bond Ordinance, then the pledge of the Taxes or any other money, securities, and funds pledged under this Bond Ordinance and all covenants, agreements, and other obligations of the Issuer to the Owners of Bonds shall thereupon cease, terminate, and become void and be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Bond Ordinance to the Issuer.

SECTION 20. Defeasance. Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit 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. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 21. Successor Paying Agent; Paying Agent Agreement. The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of Bank One Trust Company, N.A., in the City of New Orleans, Louisiana, as the initial Paying Agent is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by filing with the Person then performing such function a certified copy of a resolution or

ordinance giving notice of the termination of the Agreement and appointing a successor and causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a bank or trust company 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. The Executive Officers are hereby authorized and directed to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 22. Effect of Registration. The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal (and redemption price) of and interest on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

SECTION 23. Notices to Owners. Wherever this Bond Ordinance provides for notice to Owners of Bonds of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, by first-class mail, postage prepaid, to each Owner of such Bonds, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners of Bonds is given by mail, neither the failure to mail such notice to any particular Owner of Bonds, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Bond Ordinance provides for notice in any manner, such notice may be waived in writing by the Owner entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 24. Cancellation of Bonds. All Bonds surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly cancelled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already cancelled, shall be promptly cancelled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Paying Agent. All cancelled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 25. Preparation of Bonds; Deposit of Bond Proceeds. 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 Bond Ordinance, to cause the necessary Bonds to be printed or lithographed, to issue, execute, seal and deliver the Bonds, to effect the delivery of the Bonds in accordance with the sale thereof, to collect the purchase price therefor, and to deposit the funds derived from the sale of the Bonds as follows:

1. Accrued interest shall be deposited in the Sinking Fund.
2. An appropriate deposit shall be made into the Reserve Fund in accordance with the provisions of Section 10 hereof.
3. The remaining Bond proceeds shall be deposited in a special fund and used solely for the purpose the Bonds were issued.

SECTION 26. Arbitrage. 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 in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds 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 be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, the failure to comply with the

limitation on investment of Bond proceeds or the failure to pay any required rebate of arbitrage earnings to the United States of America or the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds". The Executive Officers are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION 27. Publication; Peremption. A copy of this Bond Ordinance shall be published immediately after its adoption in one issue of the official journal of the Issuer. For a period of thirty (30) days from the date of such publication, any person in interest shall have the right to contest the legality of this Bond Ordinance and of the Bonds to be issued pursuant hereto and the provisions hereof securing the Bonds. After the expiration of said thirty (30) days, no one shall have any cause of right of action to contest the legality, formality or regularity of this Bond Ordinance or bond authorization, for any cause whatsoever. If the question of the validity of this Bond Ordinance or bond authorization is not raised within the thirty days, the authority to issue the Bonds and the regularity thereof, including all things pertaining to the election at which the Bonds were authorized, shall be conclusively presumed, and no court may inquire into such matters.

SECTION 28. Recordation. A certified copy of this Bond Ordinance shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of Terrebonne, State of Louisiana.

SECTION 29. Section Headings. The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 30. Severability. In case any one or more of the provisions of this Bond 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 this Bond Ordinance or of the Bonds, and this Bond 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 this Bond Ordinance which validates or makes legal any provision of this Bond Ordinance and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bonds.

SECTION 31. Employment of Bond Counsel. It is recognized by the Governing Authority that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds and accordingly the employment of Foley & Judell, L.L.P., of New Orleans, Louisiana, as special bond counsel to the Issuer to do and perform comprehensive legal and co-ordinate professional work with respect to the issuance and sale of the Bonds, is hereby ratified and confirmed. The fees to be paid said attorneys shall be in accordance with the Attorney General's Guidelines for Fees and Services of Bond Attorneys, which fee for special bond counsel shall not exceed the amount calculated in accordance with the Attorney General's Guidelines for Comprehensive Legal Services in the issuance of revenue bonds, plus actual out-of-pocket expenses incurred in connection with the issuance of the Bonds, and shall be contingent upon the delivery of the Bonds. Bond Counsel shall also assist in the preparation of an Official Statement containing detailed and comprehensive financial and statistical data required with respect to the sale of the Bonds and the costs of the preparation, printing and distribution of such official statement shall be paid from the proceeds of the Bonds. Said Official Statement may be submitted to such nationally recognized bond rating service or services as may be recommended by bond counsel, together with a request that an appropriate rating be assigned. A certified copy of this Bond Ordinance shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated.

SECTION 32. Continuing Disclosure Certificate. The Parish President and/or Chief Finance Officer are hereby empowered and directed to execute an appropriate Continuing Disclosure Certificate (substantially in the form set forth in the official statement issued in connection with the sale and issuance of the Bonds) pursuant to S.E.C. Rule 15c2-12(b)(5).

SECTION 33. Provisions Relating to Bond Insurance. The following provisions shall apply:

- (i) If, on the third day preceding any interest payment date for the Bonds there is not on deposit with the Paying Agent sufficient moneys available to pay all principal of and interest on the Bonds due on such date, the Paying Agent shall immediately notify the Bond Insurer and State Street Bank and Trust Company, N.A., New York, New York, or its successor as its fiscal agent (the "Fiscal Agent") of the amount of such deficiency. If, by said interest payment date, the Issuer has not provided the amount of such deficiency, the Paying Agent shall simultaneously make available to the Bond Insurer and to the Fiscal Agent the registration books for the Bonds maintained by the Paying Agent. In addition:
  - (A) The Paying Agent shall provide the Bond Insurer with a list of the Bondholders entitled to receive principal or interest payments from the Bond Insurer under the terms of the Bond insurance Policy and shall make arrangements for the Bond Insurer and its Fiscal Agent (1) to mail checks or drafts to Bondholders entitled to receive full or partial interest payments from the Bond Insurer and (2) to pay principal of the Bonds surrendered to the Fiscal Agent by the Bondholders entitled to receive full or partial principal payments from the Bond Insurer; and
  - (B) The Paying Agent shall, at the time it makes the registration books available to the Bond Insurer pursuant to (A) above, notify Bondholders entitled to receive the payment of principal of or interest on the Bonds from the Bond Insurer (1) as to the fact of such entitlement, (2) that the Bond Insurer will remit to them all or part of the interest payments coming due subject to the terms of the Bond Insurance Policy, (3) that, except as provided in paragraph (ii) below, in the event that any Bondholder is entitled to receive full payment of principal from the Bond Insurer, such Bondholder must tender his Bond with the instrument of transfer in the form provided on the Bond executed in the name of the Bond Insurer, and (4) that, except as provided in paragraph (ii) below, in the event that such Bondholder is entitled to receive partial payment of principal from the Bond Insurer, such Bondholder must tender his Bond for payment first to the Paying Agent, which shall note on such Bond the portion of principal paid by the Paying Agent, and then, with an acceptable form of assignment executed in the name of the Bond Insurer, to the Fiscal Agent, which will then pay the unpaid portion of principal to the Bondholder subject to the terms of the Bond Insurance Policy.
- (ii) In the event that the Paying Agent has notice that any payment of principal of or interest on a Bond has been recovered from a Bondholder pursuant to the United States Bankruptcy Code by a Paying Agent in bankruptcy in accordance with the final, nonappealable order of a court having competent jurisdiction, the Paying Agent shall, at the time it provides notice to the Bond Insurer, notify all Bondholders that in the event that any Bondholder's payment is so recovered, such Bondholder will be entitled to payment from the Bond Insurer to the extent of such recovery, and the Paying Agent shall furnish to the Bond Insurer its records evidencing the payments of principal of and interest on the Bonds which have been made by the Paying Agent and subsequently recovered from Bondholders, and the dates on which such payments were made.
- (iii) The Bond Insurer, shall, to the extent it makes payment of principal of or interest on the Bonds, become subrogated to the rights of the recipients of such payments in accordance with the terms of the Bond Insurance Policy and, to evidence such subrogation, (A) in the case of subrogation as to claims for past due interest, the Paying Agent shall note the Bond Insurer's rights as subrogee on the registration books maintained by the Paying Agent upon receipt from the Bond Insurer of proof of the payment of interest thereon to the Bondholders of such Bonds and (B) in the case of subrogation as to claims for past due principal, the Paying Agent shall note the Bond Insurer's rights as subrogee on the registration books for the Bonds maintained by the Paying Agent upon receipt of proof of the payment of principal thereof to the Bondholders of such Bonds. Notwithstanding anything in this Bond Ordinance or the Bonds to the contrary, the Paying Agent shall make payment of such past due interest and past due principal directly to the Bond Insurer to the extent that the Bond Insurer is a subrogee with respect thereto.

The Bond Insurer shall be provided with the following information:

- (i) Within 120 days after the end of each of the Issuer's, and, if applicable, the Borrower's fiscal years, the budget for the succeeding year, the annual audited financial statements, a statement of the amount on deposit in the debt service reserve fund as of the last valuation, and, if not presented in the audited financial statements, a statement of the tax revenues pledged to the payment of Bonds in each such fiscal year;
- (ii) The official statement or other disclosure document, if any, prepared in connection with the issuance of additional debt, whether or not on parity with the Bonds within 30 days after the sale thereof;
- (iii) Notice of any drawing upon or deficiency due to market fluctuation in the amount, if any, on deposit, in the debt service reserve fund;
- (iv) Notice of the redemption, other than mandatory sinking fund redemption, of any of the Bonds, or of any advance refunding of the Bonds, including the principal amount, maturities and CUSIP numbers thereof; and
- (v) Such additional information as the Bond Insurer may reasonably request from time to time.

The address of the Bond Insurer is as follows:

Financial Guaranty Insurance Company  
115 Broadway  
New York, New York 10006  
Attention: Risk Management

The address of the Fiscal Agent is as follows:

State Street Bank and Trust Company, N.A.  
61 Broadway  
New York, New York 10006  
Attention: Corporate Trust Department

SECTION 34. Effective Date. This Bond Ordinance shall become effective immediately.

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

YEAS: Wayne Thibodeaux, Ray Boudreaux, Jr., Christa Duplantis, J. B. Breaux, Harold Lapeyre, Clayton Voisin, Peter Rhodes, Daniel D. Henry and Alvin Tilman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

And the ordinance was declared adopted on this, the 25th day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

E. A proposed ordinance that will declare certain items from the Police Department, Jail, Housing & Human Services Department, Planning Department, Drainage Division and Council Clerk's Office as surplus property and authorize the disposal of same.

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

Ms. C. Duplantis moved, seconded by Mr. R. Boudreaux, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. C. Duplantis.

SECONDED BY: Mr. C. Voisin.

#### ORDINANCE NO. 6327

An ordinance to declare certain items from Police, Jail, Drainage, Housing & Human Services, Planning & Economic Development and Council Clerk's as surplus as described in the attached Exhibit "A" and authorizing said items to be disposed of by public bid, negotiated sale or by other legally approved method.

#### SECTION I

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

#### 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

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 two weeks, was voted upon as follows:

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

THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, C. Voisin, P. Rhodes and D. Henry.

NAYS: None.

ABSTAINING: None.

ABSENT: H. Lapeyre and A. Tillman.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

F. A proposed ordinance relative to mobile vendors on parade routes during parades.

The Chairman recognized the following individuals who expressed their concerns relative to banning the sale of silly string: 1) Mr. James Watkins - 102 Duet Street, mobile vendor; 2) Mrs. Karen Stevens - 403 6<sup>th</sup> Street, and 3) Mr. Michael Stevens - 403 6<sup>th</sup> Street.

Upon questioning by Councilman P. Rhodes, Assistant Parish Attorney Ramona Wallis stated that there is a significant public safety issue associated with silly string regarding property damage, motorists, animals, or people that may be sprayed with it. She stated that a takings issue could be made, but it does relate to a significant public safety and health issue and she does recommend to proceed with banning it.

Vice-Chairman R. Boudreaux stated that the Mardi Gras safety committee addressed the matter of the safety hazard of silly string at parades. He explained that the proposed ordinance only prohibits the sale of silly string two hours before the scheduled beginning of a parade until after the completion of a parade. He stated that it does not prohibit the sale of silly string totally in Terrebonne Parish and vendors would have other options to sell it.

Sheriff Jerry Larpenter stated that the Mardi Gras Safety Committee wants to review and critique the Mardi Gras parades after every year and this proposal came from that committee. He stated that the majority of the street vendors come from out of town.

Police Chief Orville Callahan stated that his main concern during the Mardi Gras season is public safety.

A discussion ensued relative to banning of silly string at Mardi Gras parades.

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

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

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. R. Boudreaux, Jr.

SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 6328

AN ORDINANCE TO AMEND THE TERREBONNE PARISH CODE OF ORDINANCES TO AMEND CHAPTER 19. OFFENSES, MISCELLANEOUS LAW ENFORCEMENT PROVISIONS; ARTICLE II. PARADES; DIVISION 2. PARADE CHARACTERISTICS; AND TO CHANGE SECTION 19-54. UNAUTHORIZED PERSONS OR VEHICLES, TO INCLUDE A PROVISION TO PROHIBIT ALL MOBILE VENDORS AND THE SALE OF ANY ITEMS FROM BEING ON THE PARADE ROUTE TWO (2) HOURS BEFORE THE SCHEDULED BEGINNING OF THE PARADE UNTIL AFTER THE COMPLETION OF THE PARADE; TO SET AN EFFECTIVE DATE; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

WHEREAS, the Terrebonne Parish Council wishes to take every opportunity to make Mardi Gras parades safer and more enjoyable to all people concerned, and

WHEREAS, law enforcement officials have expressed concerns about vehicular traffic flow and pedestrian safety problems associated with the proliferation of vending carts, wagons and other vehicles selling food and/or novelty type items during parades, and

WHEREAS, LSA-R.S. 32:41 authorizes local governing authorities to regulate the standing or parking of vehicles and/or prohibit assemblages on highways in an ongoing effort to provide a safe environment to all citizens.

## SECTION I

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Parish Code be hereby amended to change Chapter 19. Offenses, Miscellaneous Law Enforcement Provisions; Article II. Parades; Division 2. Parade Characteristics; Section 19-54. Unauthorized persons vehicles, as follows:

### CHAPTER 19. Offenses, Miscellaneous Law Enforcement Provisions

#### ARTICLE II. Parades

##### DIVISION 2. Parade Characteristics

##### SECTION 19-54. Unauthorized persons or vehicles.

(a) Any group or person marching in or riding in any type of vehicle which has not been duly authorized by the parading organization and who is in any manner interfering with the orderly conduct of the parade shall be subject to immediate arrest, and any vehicle or animal accompanying them may be seized and impounded by the chief of police, police officer, the sheriff, sheriff's deputies or auxiliary deputies.

(b) *All vending carts, wagons or vehicles and/or the sale of any items, whether food or novelty-related, shall be prohibited on the parade route beginning two (2) hours before the scheduled beginning of the parade until after the completion of the entire parade.*

## 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: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

G. A proposed ordinance that will prohibit the possession and use of silly string during parades.

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

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

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.



NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. R. Boudreaux, Jr.

SECONDED BY: Ms. C. Duplantis.

#### ORDINANCE NO. 6329

AN ORDINANCE TO AMEND CHAPTER 19. OFFENSES, MISCELLANEOUS LAW ENFORCEMENT PROVISIONS; ARTICLE II. PARADES; DIVISION 4. VIEWER REGULATIONS OF THE TERREBONNE PARISH CODE OF ORDINANCES TO PROHIBIT THE POSSESSION AND USE OF SILLY STRING DURING PARADES; TO PROVIDE A PENALTY THEREFORE; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

WHEREAS, law enforcement officials from the Terrebonne Parish Sheriff's Office and krewe representatives have requested that the Parish Council consider regulation and control of the use of silly string, during parades; and

WHEREAS, silly string is a chemical product which upon activation emits a string like substance by means of a propellant; and

WHEREAS, the law enforcement officials and krewe representatives have cited legitimate public health and safety concerns with parade use of silly string; and

WHEREAS, the Parish Council is of the opinion that a ban of the possession and use of silly string during parades is a reasonable and necessary means to protect the citizens and guests of this Parish from personal injury and property damage during parades.

#### SECTION I

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Chapter 19. Offenses, Miscellaneous Law Enforcement Provisions; Article II. Parades; Division 4. Viewer Regulations, Section 19-102 be amended and reenacted as follows:

#### CHAPTER 19. Offenses, Miscellaneous Law Enforcement Provisions

#### ARTICLE II. Parades

#### DIVISION 4. Viewer Regulations

#### Section 19-102. Silly String

- (a) As used in this section:
  - (1) Silly string shall include any chemical product or other item which, when used, emits a string-like or streamer-like substance that is shot or expelled by means of a propellant or from a pressurized container.
- (b) It shall be unlawful:
  - (1) For any person to possess or have in his or her custody or control any silly string, or its equivalent, as defined herein within 300 feet of any parade route within the parish on any day a parade is scheduled.
  - (2) For any person to use silly string, or its equivalent, as defined herein within 300 feet of any parade route within the parish on any day a parade is scheduled.

NOW, THEREFORE BE IT FURTHER ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Chapter 19. Offenses, Miscellaneous Law Enforcement Provisions; Article II. Parades; Division 4. Viewer Regulations, Section 19-103 be enacted as follows:

#### Section 19-103. Penalty.

Any person who violates the provisions of this division shall be fined not more than five hundred dollars (\$500.00) and/or imprisoned for not more than thirty (30) days in the parish jail.

#### 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

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: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

H. A proposed ordinance that will prohibit the sale of silly string on parade routes on parade days.

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

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

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. R. Boudreaux, Jr.  
SECONDED BY: Mr. C. Voisin.

#### ORDINANCE NO. 6330

AN ORDINANCE TO AMEND CHAPTER 19. OFFENSES, MISCELLANEOUS LAW ENFORCEMENT PROVISIONS; ARTICLE I. IN GENERAL OF THE TERREBONNE PARISH CODE OF ORDINANCES TO ENACT SECTION 19-12 TO PROHIBIT THE SALE OF SILLY STRING ON PARADE ROUTES ON PARADE DAYS; TO PROVIDE A PENALTY THEREFORE; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

WHEREAS, law enforcement officials from the Terrebonne Parish Sheriff's Office and krewe representatives have requested that the Parish Council consider regulation and control of the sale and use of silly string, during parades; and

WHEREAS, silly string is a chemical product which upon activation emits a string like substance by means of a propellant; and

WHEREAS, the law enforcement officials and krewe representatives have cited legitimate public health and safety concerns with parade use of silly string; and

WHEREAS, the Parish Council is of the opinion that a ban of the sale of silly string on parade routes on parade days is a reasonable and necessary means to protect the citizens and guests of this Parish from personal injury and property damage during parades.

#### SECTION I

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Chapter 19. Offenses, Miscellaneous Law Enforcement Provisions; Article I. In General; Section 19-12 be enacted as follows:

#### CHAPTER 19. Offenses, Miscellaneous Law Enforcement Provisions

#### ARTICLE I. In General

Section 19-12. Silly String Sales Restrictions.

(c) As used in this section:

(1) Silly string shall include any chemical product or other item which, when used, emits a string-like or streamer-like substance that is shot or expelled by means of a propellant or from a pressurized container.

(d) It shall be unlawful:

For any person to sell any silly string, or its equivalent as defined herein, within 300 feet of any parade route within the parish on any day a parade is scheduled.

(c) Each violation of this section shall be a separate offense and shall be a misdemeanor as provided by section 1-6 of this Code.

#### 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

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: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

- I. A proposed ordinance to amend the Parish Code relative to including the Terrebonne Parish Sheriff's Office in the insurance coverage policy.

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

Mr. C. Voisin moved, seconded by Mr. J. B. Breaux, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. J.B. Breaux.

ORDINANCE NO. 6331

AN ORDINANCE TO AMEND THE TERREBONNE PARISH CODE OF ORDINANCES TO AMEND CHAPTER 19. OFFENSES, MISCELLANEOUS LAW ENFORCEMENT PROVISIONS; ARTICLE II. PARADES; DIVISION 3. PERMITS; AND TO CHANGE SECTION 19-77. INSURANCE. TO INCLUDE THE TERREBONNE SHERIFF'S OFFICE AS AN ADDITIONALLY INSURED THIRD PARTY DURING ALL PARADES; TO SET AN EFFECTIVE DATE; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

SECTION 1.

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Parish Code be hereby amended to change Chapter 19. Offenses, Miscellaneous Law Enforcement Provisions; Article II. Parades; Division 3. Permits; Section 19-77. Insurance, as follows:

CHAPTER 19. Offenses, Miscellaneous Law Enforcement Provisions

ARTICLE II. Parades

DIVISION 3. Permits

SECTION 19-77. Insurance

Section 19-77. (c) Insurance. Each carnival float parade organization in the parish shall carry liability insurance at least in the minimum amounts as follows:

- (1) Bodily injury and property damage – One million dollars (\$1,000,000.00) combined single limits.
- (2) A certificate of insurance listing the Terrebonne Parish Consolidated Government *and the Terrebonne Parish Sheriff's Office* as additional insured must be in the hands of the parade coordinator one (1) week prior to the parade date.

Each organization agrees to hold harmless, and also indemnify the parish and/or its departments and/or its employees *and the Terrebonne Parish Sheriff's Office and/or its employees* for any and all damages to property and/or its departments and/or employees that may occur as a result of the negligence of fault on the part of the parading organization.

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: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

- J. A proposed ordinance that will amend the Parish Code relative to updating the section dealing with the Louisiana Emergency Assistance and Disaster Act (Revise to reflect current State provisions).

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. H. Lapeyre.

#### ORDINANCE NO. 6332

AN ORDINANCE TO AMEND THE PARISH CODE OF TERREBONNE PARISH, STATE OF LOUISIANA, CHAPTER 7, SECTIONS 7-1 THROUGH 7-5 TO CONFORM TO THE LOUISIANA EMERGENCY ASSISTANCE AND DISASTER ACT, AND TO PROVIDE FOR RELATED MATTERS.

#### SECTION I

WHEREAS, the state statues providing for a civil defense agency were repealed in 1993 and replaced by The Louisiana Emergency Assistance and Disaster Act ("the LEAD Act") for purposes of emergency or disaster mitigation, preparedness, response, and recovery; and

WHEREAS, Terrebonne Parish Consolidated Government wishes to avail itself of the provisions of the LEAD Act and to bring its Code into conformity with the provisions of the LEAD Act, and

WHEREAS, the duly elected Parish Council of the Terrebonne Parish Consolidated Government finds it necessary to amend the Terrebonne Parish Code by amending Sections 7-1 through 7-5 of Chapter 7 to bring said sections into conformity with the LEAD Act;

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

#### SECTION II

Sections 7-1 through 7-5 of Chapter 7 of the Terrebonne Parish Code are amended to read as follows:

Sec. 7-1. Local office established.

There is hereby created an office of emergency preparedness pursuant to the provisions of R.S. 29:721 et seq ("the LEAD Act"). The parish office of emergency preparedness, under the parish president, shall be responsible for emergency preparedness in the parish.

Sec. 7-2. Appointment; duties of director.

- (a) The local office for emergency preparedness shall have a director who shall be appointed by the parish president and shall be commissioned by the director of the state office of emergency preparedness. The director thus appointed and commissioned shall serve at the pleasure of the parish president.
- (b) The director shall have direct responsibility for the organization, administration, and operation of such local organization for emergency preparedness subject to the direction and control of the parish president under the general direction and control of the governor and the state office of emergency preparedness.
- (c) The parish president may authorize the director to employ such professional, technical, clerical, stenographic, and other personnel and he shall fix their compensation and may make expenditures from available funds appropriated or authorized by the state for purposes of emergency preparedness as may be necessary to carry out the purposes of the Louisiana Emergency Preparedness Act.

Sec. 7-3. Authorities and responsibilities.

- a) The parish office of emergency preparedness shall prepare and maintain a current all-hazards emergency operations plan, which plan may include any of the following:
  - (1) Prevention and minimization of injury and damage caused by disaster or emergency.
  - (2) Prompt and effective response to disaster or emergency.
  - (3) Emergency relief.
  - (4) Identification of areas particularly vulnerable to disasters or emergency.
  - (5) Recommendations for zoning, building, and other land use controls, safety measures for securing mobile homes or other nonpermanent or semi-permanent structures, and other preventive and preparedness measures designed to eliminate or reduce disasters or their impact.
  - (6) Assistance to local officials in designing local emergency action plans.
  - (7) Authorization and procedures for the erection or other construction of temporary works designed to protect against or mitigate danger, damage, or loss from flood, conflagration, or other disaster.
  - (8) Preparation and distribution to the appropriate state and local officials of catalogs of federal, state, and private assistance programs.
  - (9) Organization of manpower and chains of command.
  - (10) Coordination of federal, state, and local disaster or emergency activities.
  - (11) Coordination of the state operations plan with the emergency plans of other state agencies, local government, and the federal government.
  - (12) Other necessary matters.
- (b) The parish office of emergency preparedness shall take an integral part in the development and revision of local and inter-jurisdictional emergency plans prepared under the LEAD Act. To this end, it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, their emergency preparedness agencies, and inter-jurisdictional planning and emergency preparedness agencies. These personnel shall consult with subdivisions and agencies on a regularly scheduled basis and shall make field examinations of the areas, circumstances, and conditions to which particular local and inter-jurisdictional disaster plans are intended to apply, and may suggest or require revisions.
- (c) In preparing and revising the plan, the parish office of emergency preparedness shall seek the advice and assistance of government, business, labor, industry, agriculture, civic, and volunteer organizations, and community leaders.
- (d) The parish office of emergency preparedness shall:
  - (1) Determine requirements of the parish and its political subdivisions for food, clothing, and other necessities in the event of an emergency.
  - (2) Procure and pre-position supplies, medicines, materials, and equipment.
  - (3) Promulgate standards and requirements for local and inter-jurisdictional disaster plans.
  - (4) Periodically review local and inter-jurisdictional disaster plans.

- (5) Provide for mobile support units.
- (6) Assist political subdivisions, their emergency preparedness agencies and inter-jurisdictional emergency preparedness agencies, in establishing and operating training programs and programs of information.
- (7) Make surveys of industries, resources, and facilities within the parish, both public and private, as are necessary to carry out the purposes of the LEAD Act.
- (8) Plan and make arrangements for the availability and use of any private facilities, services, and property and, if necessary and if in fact used, provide for payment for use under terms and conditions agreed upon.
- (9) Establish a register of persons with types of training and skills important in emergency mitigation, preparedness, response, and recovery.
- (10) Establish a register of mobile and construction equipment and temporary housing available for use in a disaster emergency.
- (11) Prepare, for issuance by the parish president, executive orders, proclamations, and regulations as necessary or appropriate in coping with disasters or emergencies.
- (12) Cooperate with the state and federal government and any public or private agency or entity in achieving any purpose of the LEAD Act and in implementing programs for disaster emergency mitigation, preparation, response, and recovery.
- (13) Do other things necessary, incidental, or appropriate for the implementation of the LEAD Act.

Sec. 7-4. Cooperation by agencies and departments in city.

The director is hereby authorized to utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies of this political subdivision to the maximum extent practicable, and the officers and personnel of all such departments and agencies are directed to cooperate and extend such services and facilities to the president and the director upon request.

Sec. 7-5. Powers of the parish president; penalties for violation.

- (a) A local disaster or emergency may be declared only by the parish president. The state of emergency shall continue until the parish president finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist. The state of emergency may be terminated by executive order or proclamation, but no state of emergency may continue for longer than thirty days unless extended by the parish president. The state of emergency or disaster may be terminated by the governor, a petition signed by a majority of the surviving members of either house of the legislature, or a majority of the surviving members of the parish governing authority. The document terminating the state of emergency or disaster may establish a period during which no other declaration of emergency or disaster may be issued. All executive orders or proclamations issued under this Subsection shall indicate the nature of the emergency, the area or areas which are or may be affected, and the conditions which brought it about. Any order or proclamation declaring, continuing, or terminating a local disaster or emergency shall be given prompt and general publicity and shall be filed promptly with the office of emergency preparedness and the office of the clerk of court.
- (b) Notwithstanding any other provision of the LEAD Act, when the parish president declares a local disaster or emergency within the parish he shall carry out the provisions of the LEAD Act. When the disaster or emergency is beyond the capabilities of the local government, the parish president shall request assistance from the state office of emergency preparedness. The declaration of a local emergency will serve to activate the response and recovery program of the local government.
- (c) In addition to any other powers conferred upon the parish president by the constitution, laws, or by The Home Rule Charter, he may do any or all of the following:
  - (1) Suspend the provisions of any regulatory ordinance prescribing the procedures for conduct of local business, or the orders, rules, or regulations of any local agency, if strict compliance with the provisions of any ordinance, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.
  - (2) Utilize all available resources of the local government as reasonably necessary to cope with the local disaster or emergency.
  - (3) Transfer the direction, personnel, or functions of local departments and agencies or units thereof for the purpose of performing or facilitating emergency services.
  - (4) Subject to any applicable requirements for compensation, commandeer or utilize any private property if he finds this necessary to cope with the local disaster.
  - (5) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the boundaries of the parish if he deems this action necessary for mitigation, response, or recovery measures.
  - (6) Prescribe routes, modes of transportation, and destinations in connection with evacuation within the local government's jurisdiction.

- (7) Control ingress and egress to and from the affected area, the movement of persons within the area, and the occupancy of premises therein.
- (8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.
- (g) In the event of an emergency declared by the parish president pursuant to this Chapter, any person or representative of any firm, partnership, or corporation violating any order, rule, or regulation promulgated pursuant to the LEAD Act, shall be subject to such fines and penalties imposed by state law.
- (h) No organization for emergency preparedness established under this Chapter shall be employed directly or indirectly for political purposes.

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.

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

THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the ordinance adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized the public for comments on the following:

- K. The proposed 2001 Operations and Maintenance Budget of the Terrebonne Parish Consolidated Government and the Five-Year Capital Outlay Budget, as published in summary below.

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

Mr. J. B. Breaux moved, seconded by Mr. R. Boudreaux, "THAT, the Council close the aforementioned public hearing.

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

- L. A proposed ordinance that will establish the position of Council Special Legal Counsel (continued from previous meeting).

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

Mr. R. Boudreaux moved, seconded by Mr. J. B. Breaux, "THAT, the Council continue the public hearing on the proposed ordinance that will establish the position of Council Special Legal Counsel until 11/8/00."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.



UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. W. Thibodeaux.  
SECONDED: Unanimously.

RESOLUTION NO. 00-388

WHEREAS, Mr. Morris Charles, Sr. has earned a reputation for helping those in need in the community and for serving as a shining example of a true community leader, and

WHEREAS, Mr. Morris has volunteered his time in the Terrebonne Parish School System, is a participant in the Foster Grandparent program, and has assisted and encouraged many young people to reach their highest potential in the classroom, and

WHEREAS, while serving as Worshipful Master of Stone Square Lodge # 239 in Houma, Mr. Charles and his Masonic Brothers assisted the Stovall Street neighborhood watch by allowing use of the Masonic Hall for community meetings, and

WHEREAS, on June 26, 2000, at the 80<sup>th</sup> Grand Session of the United Most Worshipful St. John Grand Lodge AF & AM, Jurisdiction of Louisiana, Mr. Morris Charles was elected to serve as Most Worshipful Grand Master of Louisiana, and

WHEREAS, this high honor is a tribute to Mr. Charles as an individual, as a Freemason for 35 years, as a Master Mason since 1965, as a 33<sup>o</sup> Mason since 1994, and as Past Master of the Stone Square Lodge #239 of Houma, and

WHEREAS, Mr. Charles, due to this special accolade and his long history of serving others, is truly a role model for young people everywhere, and

WHEREAS, the Terrebonne Parish Council is truly privileged to acknowledge the achievements of Mr. Charles who is a life long resident of Terrebonne Parish.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that

**MR. MORRIS CHARLES, SR.**

be congratulated for his outstanding achievements in the Houma-Terrebonne community and for his election as Most Worshipful Grand Master of the United Most Worshipful St. John Grand Lodge AF & AM of Louisiana.

THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized Mr. Morris Charles, who thanked the Council and Parish President for the commendation.

OFFERED BY: Mr. W. Thibodeaux.  
SECONDED: Unanimously.

RESOLUTION NO. 00-389

WHEREAS, by Act of Congress of the United States dated December 6, 1865, the 13<sup>th</sup> Amendment of the Constitution of the United States was adopted abolishing slavery, and

WHEREAS, by Act of Congress of the United States dated July 9, 1868, the 14<sup>th</sup> Amendment of the Constitution of the United States was adopted giving all persons born or naturalized in the United States the right to due process and equal protection under the law, and

WHEREAS, by Act of Congress of the United States July 2, 1964, the Civil Rights Act of 1964 was adopted banning discrimination because of a person's color, race, national origin, religion, or sex, and

WHEREAS, working against racism starts with recognizing that, wittingly or unwittingly, many of the things we do as individuals and entire communities contribute to the problem, and

WHEREAS, local elected officials have an opportunity to model the kinds of personal behaviors and attitudes that will play a vital role in making racism less of a dominant force in our society, and

WHEREAS, in areas from hiring and police procedures to participation in community wide efforts to address the problem, local government can engage in a variety of activities that will contribute to progress, and

WHEREAS, local elected officials can't do this alone and therefore need to partner with others—both inside our government and out—to make antiracism initiatives a priority in our community, and throughout the state, and

WHEREAS, we declare racism unjust and advocate fairness, justice, and equal rights for all.

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council hereby proclaims Friday, October 27, 2000 as

“Undoing Racism Day”

and urge all citizens to join together today to reaffirm our commitment to insure equality and freedom for all the people regardless of a persons color, race, national origin, religion, or gender.

THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

OFFERED BY: Mr. C. Voisin.  
SECONDED: Unanimously.

RESOLUTION NO. 00-390

WHEREAS, serious social problems concern our nation and threaten its future, and

WHEREAS, connecting with others and working together through volunteer service can bridge the difference that separate people and help solve serious problems, and

WHEREAS, we, the American people, have tradition of philanthropy and volunteerism, and

WHEREAS, millions of self-sacrificing individuals touched and enhanced the lives of millions on the ninth annual day of doing good by giving where there was a need, rebuilding what had been torn down, teaching where there was a desire to learn and inspiring those who had lost hope, and

WHEREAS, USA Weekend Magazine and its affiliate newspapers, that The Point of Light Foundation and its affiliate volunteer centers have joined to promote an annual national day of doing good that celebrates and strengthens the spirit of volunteer service, and

WHEREAS, volunteer is an investment in the future we all must share.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that Saturday, October 28, 2000 be hereby proclaimed “Make A Difference Day” in Houma-Terrebonne, and that all citizens be urged to observe this day by connecting with friends, fellow employees and relatives, and with religious, school and civic groups to engage in projects benefiting their community.

THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized Ms. Verdie Kulpepper, Advances Community Services and La. Voluntary Organization's Active and Disaster, who thanked the Council and Parish President for the proclamation.

Mr. R. Boudreaux moved, seconded by Mr. J. B. Breaux, "THAT, the Council deviate from the agenda to address agenda item 8D) Report by Earth Search and discussion on the Southdown Cemetery issue."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Mr. Robert Jones, Parish Engineer, who stated that archeological research was done at the Southdown Cemetery and introduced employees of Earth Search and Thermal Imaging who performed the work.

The Chairman recognized Mr. Bob Melia, Thermographer with Real Time Imaging, who explained the procedure that was used to obtain an image of graves at the Southdown Cemetery.

The Chairman recognized Ms. Jill-Karen Yakubik, Archeologist with Earth Search, who explained exactly what gravesites and where they were found in the Southdown Cemetery. She stated that the cemetery is full within the known area and there are also graves outside the known area.

Mr. H. Lapeyre moved, seconded by Mr. A. Tillman, "THAT, the Council refer the Southdown Cemetery issue back to committee now that the report has been given by Earth Search." \*(SECOND TO THE MOTION PULLS HIS SECOND, \*\*MOTION AMENDED AND RE-INTRODUCED AFTER DISCUSSION.)

A discussion ensued relative to the gravesites located by Earth Search in Southdown Cemetery.

\*Mr. A. Tillman withdrew his second to the motion.

\*\*Mr. H. Lapeyre moved, seconded by Mr. C. Voisin, "THAT, the Council refer the Southdown Cemetery issue back to committee now that the report has been given to Earth Search; and that no bodies be allowed to be buried in the cemetery until this matter is addressed within the next two weeks." \*(SECOND TO THE MOTION PULLS HIS SECOND, \*\*MOTION AMENDED AND RE-INTRODUCED AFTER DISCUSSION.)

The Chairman recognized Parish Attorney Carolyn McNabb, who stated she did not feel it is advisable for the Council to take any action prohibiting the use of cemetery as a public cemetery, at the very least, within the visible boundaries.

A further discussion ensued relative to whether burials in Southdown Cemetery should be allowed until a policy can be established of who can be buried there and until the report by Earth Search is further evaluated.

\*Mr. C. Voisin withdrew his second to the motion.

\*\*Mr. H. Lapeyre amended the motion, seconded by Mr. A. Tillman, "THAT, the Council refer the Southdown Cemetery issue back to committee now that the report has been given by Earth Search, and that no bodies be allowed to be buried outside the boundaries of the original cemetery until this matter is addressed within the next two weeks." \*(MOTION AMENDED AND VOTED ON AFTER DISCUSSION.)

A further discussion ensued relative to whether burials in Southdown Cemetery should be allowed until a policy can be established of who can be buried there and until the report by Earth Search is further evaluated.

\*Mr. H. Lapeyre amended the motion, seconded by Mr. A. Tillman, "THAT, the Council refer the Southdown Cemetery issue back to committee now that the report has been given by Earth Search, and that no bodies be allowed to be buried outside the boundaries of the platted cemetery until this matter is addressed within the next two weeks."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, P. Rhodes, and A. Tillman.

NAYS: D. Henry.

ABSTAINING: C. Voisin.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. R. Boudreaux moved, seconded by Mr. C. Voisin, "THAT, the Council overturn the Planning Commission's decision to deny the request from Unique Properties, L.L.C. for a variance from engineering for the re-division of Alma Heights Subdivision – Addendum No. 2." \*(MOTION AMENDED AFTER DISCUSSION.)

The Chairman recognized Parish Engineer Bob Jones, who stated that there was engineering submission on the sewer system for the aforementioned property conditioned on the fact that the developer comply with certain matters. He requested that the Council maintain the same conditions that the Planning Commission adopted for the sewer system.

The Chairman recognized Mr. Alex Ostheimer, Houma-Terrebonne Regional Planning Commission Chairman, who suggested that if the variance is granted from engineering that it be conditioned upon the Parish Engineer's comments on engineering be submitted to the Planning Commission's records and if they weren't complied with that they be complied with before the development is submitted to the Planning Commission for final approval. He also stated that the same would apply with the Pollution Control Department on the sewer connections, that those be complied with before the Planning Commission considers the development with final approval.

\*Mr. R. Boudreaux amended the motion, seconded by Mr. C. Voisin, "THAT, the Council overturn the Planning Commission's decision to deny the request from Unique Properties, L.L.C. for a variance from engineering for the re-division of Alma Heights Subdivision – Addendum No. 2; and that the variance from engineering be conditioned upon the Parish Engineer's comments on engineering and Pollution Control Department's comments regarding sewerage be submitted to the Planning Commission's records and if they weren't complied with that they be complied with before the development is submitted to the Planning Commission for final approval."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman called for a report on the Policy, Procedure, & Legal Committee meeting held on 10/23/00, whereupon the Committee Chairman, noting that ratification of the minutes calls a public hearing on 11/8/00, rendered the following:

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

**OCTOBER 23, 2000**

The Chairman, Mr. C. Voisin, called the Policy, Procedure, & Legal Committee meeting to order at 5:30 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. H. Lapeyre and the Pledge of Allegiance led by Mr. J. B. Breaux. Upon roll call, Committee Members recorded as present were: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

The Chairman recognized Council Clerk Paul Labat who explained that amendments to Ordinance No. 6101 (dealing with outdoor burning) have been highlighted or italicized to reflect changes as suggested by Bayou Cane Fire Chief Jerry Gautreaux. Mr. Labat noted that the permitting process has been delegated to the Bayou Cane Fire Protection District and the permit fee has been deleted, but the remainder of the ordinance remains the same.

Miss C. Duplantis moved, seconded by Mr. R. Boudreaux, "THAT, the Policy, Procedure, & Legal Committee concur with the recommendations of the Bayou Cane Fire Chief Jerry Gautreaux to introduce an ordinance to amend Ordinance No. 6101 relative to permits for open burnings in the Bayou Cane Fire Protection District and call a public hearing on said matter on November 8, 2000 at 6:30 p. m." (\*\*MOTION ADOPTED AFTER BRIEF DISCUSSION)

Upon questioning, Council Clerk Paul Labat explained that Parish Attorney Carolyn McNabb, at the previous meeting, stated that the Council has the power to delegate the permitting power to the Bayou Cane Fire Protection District, and Parish Attorney Carolyn McNabb concurred with Mr. Labat's statements.

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Parish Attorney Carolyn McNabb who stated that a review of Attorney General opinions has indicated that the Council has the power to issue subpoenas and impose fees as per the Home Rule Charter. She continued that the maximum fine or jail sentence which maybe imposed is \$500.00, 30-days in jail, and/or both. Ms. McNabb suggested that the Council consider imposing a flat fee as opposed to a case by case basis.

Discussion ensued relative to the appropriate fee for non-compliance of a Council subpoena.

Committee Member D. Henry requested that the Legal Department determine what fines are currently being charged by City Court and District Court relative to non-compliance of a subpoena.

Upon questioning, Parish Attorney Carolyn McNabb explained that the maximum penalties imposed can not exceed those of the Legislative Statutes for municipalities. Ms. McNabb requested additional time to review § 269. Section IV. Contempt of State Legislative Bodies, B. Local Bodies.

Mr. D. Henry moved, seconded by Mr. J. B. Breaux, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to Council subpoena power in committee for further review."

The Chairman called for the vote on the motion offered by Mr. D. Henry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Committee Member W. Thibodeaux who requested that consideration be given to actively promote diversification on all parish wide boards, committees, and commissions appointed by the Council.

Committee Member C. Duplantis requested that diversification of boards also include any youth board.

Discussion ensued relative to diversification on boards, committees, and commissions based upon qualification and leadership ability.

Mr. W. Thibodeaux moved, seconded by Mr. R. Boudreaux, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to diversification of membership on all parish wide boards, committees, and commissions appointed by the Council in committee for further review."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Parish Attorney Carolyn McNabb who informed the committee that the Legal Department is in the process of developing a policy to regulate Parish Government sponsorship of events. Ms. McNabb suggested that sponsorship of events be bound by Article 7, Section 14 of the State Constitution which governs loans or pledges of donated parish property.

Mr. R. Boudreaux moved, seconded by Mr. W. Thibodeaux, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to sponsorship of events in committee for further review." (\*\*MOTION ADOPTED AFTER BRIEF COMMENT)

Committee Member D. Henry requested that the Legal Department schedule another meeting to discuss the matter of "sponsorships" further.

The Chairman called for the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Miss C. Duplantis moved, seconded by Mr. D. Henry, "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 Miss C. Duplantis.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:35 p.m.

Clayton Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. C. Voisin moved, seconded by Mr. R. Boudreaux, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 10/23/00."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, and D. Henry.

NAYS: None.

ABSTAINING: None.

ABSENT: P. Rhodes and A. Tillman.

The Chairman declared the motion adopted.

The Chairman called for a report on the Budget & Finance Committee meeting held on 10/23/00, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 11/8/00, rendered the following:

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

**OCTOBER 23, 2000**

The Chairman, Mr. J. B. Breaux, called the Budget & Finance Committee meeting to order at 6:51 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. D. Henry and the Pledge of Allegiance led by Mr. W. Thibodeaux. Upon roll call, Committee Members recorded as present were: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

The Chairman stated that a list of those persons requesting that the tax millages be rolled back to last year's assessment has been provided to the committee, for informational purposes only.

The Chairman recognized Comptroller Jamie Elfert who explained the process for rolling millages up, and the projected revenues if the millages were rolled back per a 2/3 Council approval. Ms. Elfert stated that Administration recommends levying the maximum tax millages for Road Lighting District Nos. 2, 4, 6, 7, 8, and 9.

Upon questioning, Public Works Director Al Levron explained that, in order to complete the underground lighting with decorative standards along St. Charles Street, additional funds would be needed from Road Lighting Districts 2 and 9. Mr. Levron suggested establishing a fund to accumulate revenues to finance the project, and added that he will have an estimated amount for said project ready for Wednesday's meeting. NO ACTION TAKEN.

Mr. C. Voisin moved, seconded by Mr. H. Lapeyre, "THAT, the Budget & Finance Committee introduce an ordinance which will amend the 2000 Budget to provide funds (not to exceed \$500,000.00 for reimbursement of the approved GIS Project, and call a public hearing on said matter on November 8, 2000 at 6:30 p.m." (\*\*MOTION ADOPTED AFTER DISCUSSION)

Committee Member W. Thibodeaux requested that Administration submit a copy of the aforementioned contract to the Council for review.

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. R. Boudreaux moved, seconded by Mr. C. Voisin, "THAT, the Budget & Finance Committee approve and authorize the Parish President to execute an extension of the guard service contract with Vinson Guard Service, Inc. until October 22, 2001."  
(\*\*MOTION ADOPTED AFTER DISCUSSION)

The Chairman requested that Administration meet with members of the Houma Housing Authority to discuss security at the Bayou Towers Highrise.

Discussion ensued relative to a number of complaints received from residents of the Bayou Tower Highrise.

Upon questioning, Comptroller Jaime Elfert explained that funding for the aforementioned guard service is taken from those departments utilizing the services. She noted that the services are paid on an hourly rate, and last year's contractual rate will be provided to the Council for review.

\*\*The Chairman called for the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. H. Lapeyre.

#### RESOLUTION NO. 00-391

A resolution awarding and authorizing the Parish President to enter into an agreement with Calongne, Inc. for the Annual Grasscutting Contract and Removal of Trash and Debris from Abandoned Lands for a period of one year with the option to extend for a period one (1) year at the same unit prices, if agreed to by both parties, and to address other matters relative hereto.

WHEREAS, the Terrebonne Parish Consolidated Government, Department of Planning and Economic Development cites all property owners in violation of Chapter 11 of the Terrebonne Parish Codes, and

WHEREAS, on September 21, 2000 bids were received by the Terrebonne Parish Consolidated Government for Bid #00-1/9-22 Annual Grasscutting Contract and Removal of Trash and Debris from Abandoned Lands, and

WHEREAS, after careful review by the appropriate parties it has been determined that the bid of Calongne, Inc. was the lowest responsive bid in the amount of Seventeen Thousand Six Hundred Fifty Dollars and Zero cents (\$17,650.00), and

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available, and

WHEREAS, the Parish Administration concurs with the recommendation that the bid of Calongne, Inc. is the lowest qualified for Bid #00-1/9-22 Annual Grasscutting Contract and Removal of Trash and Debris from Abandoned Lands, as per attached bid forms.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government authorizes the Parish President to execute any and all necessary documents to enter into an agreement with Calongne, Inc. for a period of one (1) year with the option to extend for an additional at the same unit prices, if agreed to by both parties and to address matters relative to.

THERE WAS RECORDED:



YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, this 23<sup>rd</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized Planning and Zoning Director Patrick Gordon who explained that hourly schedule for the use of tractor and bushhog was determined by the historical use of the equipment by the contractor. Upon questioning, Mr. Gordon stated that fees collected for grass cutting is deposited in the General Fund, and collected through the Finance Department.

OFFERED BY: Ms. C. Duplantis.  
SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 00-392

WHEREAS, on September 14, 2000 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 00-1/9-21, Surplus Sale of Various Office Equipment, and

WHEREAS, after careful review by Parish Administration it has been determined that the highest bid received was that of Nona Prejean, Anthony S. Thomas, Terry Moore, and Adam Acosta and that the bid should be accepted as per attached bid forms, and

WHEREAS, after careful review by Parish Administration it has been determined that the bid of Adam Acosta on Items # 1, 2, 19-23, and 26 should be rejected.

WHEREAS, the Parish Administration has recommended the acceptance of the aforementioned bid for Bid No. 00-1/9-21, Surplus Sale of Various Office Equipment for a total amount of One Hundred Thirty One Dollars and Twenty Five Cents (\$131.25), as described in attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and the bid of Nona Prejean, Anthony S. Thomas, Terry Moore, and Adam Acosta be accepted as per attached bid forms.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, this 23<sup>rd</sup> day of October, 2000.

\* \* \* \* \*

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

RESOLUTION NO. 00-393

A resolution introducing an ordinance to declare certain items from City Court, Electric Generation/Utilities, Housing & Human Services, Police Risk Management and Recreation as surplus as described in the attached Exhibit "A" and authorizing said items to be disposed of by public bid, negotiated sale 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 the attached Exhibit "A" as surplus and authorizes the Parish President to dispose of said items by public bid, negotiated sale or any other legally approved method, and that a public hearing on said matter be called for Wednesday, November 8, 2000 at 6:30 p.m.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, this 23<sup>rd</sup> day of October, 2000.

\* \* \* \* \*

Committee Member D. Henry inquired about the status of the auctioneer contractual services for the disposal of surplus equipment.

The Chairman recognized Public Works Director Al Levron who stated that Administration is unprepared to respond at this time.

Mr. C. Voisin moved, seconded by Mr. R. Boudreaux, "THAT, the Budget & Finance Committee introduce an ordinance that will establish a service charge, not to exceed \$10.00 per civil filing or criminal conviction by a city court judge, in City Court, and call a public hearing on said matter on November 8, 2000 at 6:30 p. m." (\*\*MOTION ADOPTED AFTER DISCUSSION)

Upon questioning, City Court Administrator Ernie DuBois stated that the aforementioned request was adopted per last year's legislative action and must now be approved by the Council.

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. R. Boudreaux, Jr.

#### RESOLUTION NO. 00-394

WHEREAS, the Louisiana Commission on Law Enforcement and Administration of Criminal Justice has funds available under the Title V Juvenile Justice Delinquency Prevention Subgrant, and

WHEREAS, the City Court of Houma, being the juvenile court for Terrebonne Parish would wish to run a Juvenile Assessment and Services Program utilizing these funds, and

WHEREAS, the City Court of Houma can provide the necessary in-kind match required for application, and

WHEREAS, the applicant agency cannot be the Court, but can be the Parish governing authority, and

WHEREAS, the Parish Administration and Parish Council recognize the needs in the community for such services.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government that the Parish Administration be given authority to apply and enter into contract as applicant agency for Title V Juvenile Justice and Delinquency Prevention funds.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, this 23<sup>rd</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized Committee Member W. Thibodeaux who stated that the aforementioned application should be corrected to state "Congressional District 3".

The Chairman announced that, per the request of Administration, the following Budget review have been removed from the agenda and will be discussed at a later date: Parks & Grounds, Police Department, Fire Department. He then removed the GIS Technology Fund from the agenda, and continued the review of the following portions of the Fiscal Year 2001 Budget: Civic Center, Juvenile Detention Center, Parish Jail, Emergency Preparedness, Non-District Recreation, and Parishwide Recreation.

The Chairman recognized Civic Center Director Linda McCarthy who stated that the Civic Center does not have any retained earnings this year to cover operational costs, and is being supplemented by funds from the General Fund.

Upon questioning, Comptroller Jaime Elfert explained how retained earnings are derived, and stated that the Civic Center will break even in 2001.

Upon questioning, Ms. McCarthy explained the cost effectiveness for hiring an additional custodian and the increase in salary for her Executive Secretary.

Comptroller Jamie Elfert explained the increase in Workman's Compensation for the Civic Center due the risk factor for employees at the facility.

Civic Center Director Linda McCarthy explained the Civic Center's telephone expense, increase in plant insurance, decrease in food and beverages, and miscellaneous expenses. Ms. McCarthy recommended that Administration consider completing the irrigation system for the Civic Center grounds. NO ACTION TAKEN.

The Chairman recognized Juvenile Detention Administrator Jason Hutchinson who explained the enormous responsibility of recreating juveniles at the detention center. Upon questioning, Mr. Hutchinson stated that the Risk Management Department assesses the rate for Workman's Compensation.

The Chairman recognized Comptroller Jamie Elfert who stated that workman's compensation is determined by the risk and nature of the job performed, and the existing rates have been updated to current rates. NO ACTION TAKEN.

There were no questions of Warden Joe Null and Medical Technician Ed Byerly of the Parish Jail, nor of Emergency Preparedness Director Michael Deroche, or comments relative to their proposed 2001 Budgets.

The Chairman recognized Recreation Director Sterling Washington who stated that efforts are being made to streamline expenses for the Recreation Division in the event that the tax proposition is not passed on its second attempt.

The Chairman requested a copy of the report assessing the expenditures of the Recreation Division. NO ACTION TAKEN.

There were no questions of Recreation Director Sterling Washington or comments relative to the 2001 Parishwide Recreation Budget. NO ACTION TAKEN.

The Chairman recognized Committee Member R. Boudreaux who requested that Administration prepare a budget amendment to include \$30,000.00 of additional funds in the 2001 Budget for a juvenile counselor and the use of two Parish vehicles for the Mental Health Office, with one vehicle being designated for the Juvenile Counselor. Mr. Boudreaux continued that the juvenile counselor may work in conjunction with the Terrebonne Parish School Board, and monitored by the Mental Health Office; and, requested that Administration search for grant assistance to provide a psychologist for Mental Health.

Committee Member P. Rhodes requested that Administration determine how many programs under the auspices of the Parish Government have a psychologist on staff.

Upon questioning, Mental Health Administrator Wayne Stieb explained that juveniles are considered to be youth until twenty-one years of age, but may be considered an adult at eighteen years of age. He stressed the need to manage medical care for youths on medications and noted that three registered nurses are sufficient for the office. NO ACTION TAKEN.

Mr. H. Lapeyre moved, seconded by Mr. C. Voisin, "THAT, the Budget & Finance Committee approve a resolution approving an Act of Donation for light bars from the Houma Police Department to the Little Caillou Fire Protection District." (\*\*MOTION AMENDED AND LATER WITHDRAWN AFTER THE SUBSTITUTE MOTION OFFERED)

The Chairman recognized Parish Attorney Carolyn McNabb who requested that the resolution be amended to add "Subsection D" after the article and section number for clarification.

Mr. H. Lapeyre offered amendment, seconded by Mr. C. Voisin, "THAT, the Budget & Finance Committee approve a resolution approving an Act of Donation for light bars from the Houma Police Department to the Little Caillou Fire Protection District, and to amend the resolution to include 'Subsection D' after the article and section number." (\*\*MOTION AND AMENDMENT LATER WITHDRAWN)

Discussion ensued relative to allowing the Fire Chief's Association to distribute and house the surplus lightbars from the Houma Police Department as opposed to the Little Caillou Fire Protection District.

Mr. C. Voisin offered a substitute motion, seconded by Mr. R. Boudreaux, "THAT, the Budget & Finance Committee approve the Act of Donation for lightbars from the Houma Police Department to the Fire Chief's Association, for housing and distribution to the various fire departments." (\*\*SUBSTITUTE MOTION AMENDED AFTER DISCUSSION)

Discussion transpired relative to keeping track of the lightbars and stipulating that the Urban Fire Districts have first choice in obtaining the lightbars.

\*\*Committee Member H. Lapeyre withdrew the original and amended motion.

OFFERED BY: Mr. C. Voisin.  
SECONDED BY: Mr. R. Boudreaux, Jr.

#### RESOLUTION NO. 00-395

A RESOLUTION AUTHORIZING EXECUTION OF AN ACT OF DONATION FROM THE HOUMA POLICE DEPARTMENT TO TERREBONNE FIRE CHIEF ASSOCIATION OF SURPLUS LIGHTBARS.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to enter into an Act of Donation whereby the Houma Police Department will donate twenty-two (22) Jetsonic lightbars to the Terrebonne Fire Chief Association pursuant to Article 7, Section 14 of the Constitution of the State of Louisiana.

WHEREAS, the 22 Jetsonic lightbars have been declared surplus by the Houma Police Department and the Terrebonne Fire Chief Association is in need of and desires the donation of the surplus equipment.

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

Parish President Robert J. Bergeron be and he is hereby authorized to execute for and on behalf of Terrebonne Parish Consolidated Government/Houma Police Department an Act of Donation whereby twenty-two (22) Jetsonic lightbars which have been declared surplus will be donated to the Terrebonne Fire Chief Association for use as replacement lightbars on official vehicles.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, this 23<sup>rd</sup> day of October, 2000.

\* \* \* \* \*

Mr. R. Boudreaux moved, seconded by Miss C. Duplantis, "THAT, there being no further business to come before the Budget & Finance Committee, the meeting be adjourned."

The Chairman called for the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 8:10 p.m.

J. B. Breaux, Chairman

Suzette Thomas, Minute Clerk

Mr. J. B. Breaux moved, seconded by Mr. R. Boudreaux, "THAT, the Council accept and ratify the minutes of the Budget & Finance Committee meeting held on 10/23/00."

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman called for a report on the Public Services Committee meeting held on 10/24/00, whereupon the Committee Chairwoman, noting that ratification of the minutes calls public hearings on 11/8/00, rendered the following:

#### **PUBLIC SERVICES COMMITTEE**

**OCTOBER 24, 2000**

The Chairwoman, Miss C. Duplantis, called the Public Services Committee meeting to order at 5:35 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. H. Lapeyre and the Pledge of Allegiance led by Mr. J. B. Breaux. Upon roll call, Committee Members recorded as present were: J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. Committee Member R. Boudreaux was recorded as entering the proceedings at 6:00 p. m. A quorum was declared present.

The Chairwoman recognized Utilities Director Tom Bourg who explained the increased cost associated with the production of natural gas utilities as opposed to that of coal, and the effects of a deregulated market.

The Chairwoman announced that Entergy's Customer Service Manager Becky Watson was unable to attend this evening's meeting; however, she has submitted information relative their utility rates.

Discussion transpired relative to establishing a utility fund to offset electrical costs during the summer months and the cost of producing natural gas electricity as opposed to coal.

Committee Member R. Boudreaux was recorded as entering the proceedings at this time.

The Chairwoman recognized SLECA General Manager Mike Guidry who stated that the cost of producing electricity has increased due to the crisis overseas. Mr. Guidry explained SLECA's change from receiving electric generation from Cajun Electric and LA Generating, and presented a chart reflecting a decrease in electrical costs for residential service. Upon questioning, Mr. Guidry stated that SLECA does not generate electrical power, but is a distribution source.

Utilities Director Tom Bourg interjected that Administration has met with SLECA and LA Generating representatives to discuss electrical power supply. Upon questioning, Mr. Bourg explained Administration's relationship with LEPA., and added that it is more advantageous if TPCG does not participate in pooling electrical services from LEPA. Mr. Bourg stated that, ultimately, the Council has the authority to set electrical rates for the City of Houma.

Mr. H. Lapeyre moved, seconded by Mr. C. Voisin, "THAT, the Public Services Committee direct Administration to explore all possible avenues to address increased electrical rates for the City of Houma Power Plant and to report back to the committee in two months." (\*\*MOTION ADOPTED AFTER DISCUSSION)

The Chairwoman recognized Parish President Robert Bergeron who stated that Administration has been evaluating the increased electrical production costs.

Upon questioning, Mr. Bourg stated that the matter of providing electrical services in a crisis situation are being discussed with the local utility companies, and the City of Houma offers an average billing plan for its customers to offset high costs during peak periods.

Mr. Voisin interjected that SLECA offers a similar plan.

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. A. Tillman.

#### RESOLUTION NO. 00-396

A resolution providing for approval of Substantial Completion for the project known as Bayou Terrebonne Daigleville Bridge Gas Utility Relocation, TPCG Project No. 99-GAS-44, Terrebonne Parish, Louisiana.

WHEREAS, a certain contract has been entered into between the Terrebonne Parish Consolidated Government and Coushatta Empire, Inc. designated as Bayou Terrebonne Daigleville Bridge Gas Utility Relocation, TPCG Project No. 99-GAS-44, Terrebonne Parish, Louisiana, and

WHEREAS, all items of work performed under the contract have been inspected by authorized representatives of the Owner, Engineer, and Contractor.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed in accordance with the Certificate of Substantial Completion, effective as of the date of recording of this resolution and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract under Entry No. 1073696 of the records of Terrebonne Parish, Louisiana; and

BE IT FURTHER RESOLVED that Parish Administration is hereby authorized to pay retainage upon the presentation of a Clear Lien Certificate; and

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

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

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

RESOLUTION NO. 00-397

A resolution authorizing the Parish President to execute an Amendment to Construction Agreement for the Terrebonne Parish Sanitary Sewer Rehabilitation Project, and to provide for other matters relative thereto.

WHEREAS, the Terrebonne Parish Consolidated Government and Insituform Technologies, Inc. entered into a contract on September 28, 2000 for the Terrebonne Parish Sanitary Sewer Rehabilitation Project, identified as Parish Project No. 99-SEW-50, and

WHEREAS, Section F, Standard Form of Agreement Between Owner and Contractor, Article 5 of the Contract Document and Specifications requires withholding retainage until the project is completed, and

WHEREAS, the intent of the specifications was to issue the Contractor a work order for each specified task and to issue payment for each work order as they are completed, and

WHEREAS, the Utilities Department desires to amend the original Construction Agreement to provide for issuance of work orders and payment upon completion of tasks, as provided for under the conditions of the Amendment No. 1 to Construction Agreement for Terrebonne Parish Sanitary Sewer Rehabilitation Project, and

WHEREAS, the Terrebonne Parish Council is of the opinion that the amendment to the Contract Documents and Specifications as recommended by the Utilities Department is in the best interest of the Parish.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President be and he is authorized to execute Amendment No. 1 to Construction Agreement for Terrebonne Parish Sanitary Sewer Rehabilitation Project.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

Committee Member W. Thibodeaux requested a copy of the abbreviated contract for the aforementioned project.

OFFERED BY: Mr. R. Boudreaux, Jr.  
SECONDED BY: Mr. D. Henry.

RESOLUTION NO. 00-398

A resolution awarding Bid No. 00-1/9-23, One New ¾ Ton Long Bed Cab & Chassis Truck with Utility Body, to Trapp Chevrolet in the amount of Twenty Thousand, Eight Hundred One Dollars and Five Cents (\$20,801.05).

WHEREAS, bids were received on September 21, 2000 for the project known as One New ¾ Ton Long Bed Cab & Chassis Truck with Utility Body, Bid No. 00-1/9-23, and

WHEREAS, the Department of Finance has certified compliance of this bid with procedural requirements of the bid documents and the availability of funding, and

WHEREAS, based upon these supporting recommendations, the Utilities Department recommends the award of Bid No. 00-1/9-23, One New ¾ Ton Long Bed Cab & Chassis Truck with Utility Body, to Trapp Chevrolet in the amount of Twenty Thousand, Eight Hundred One Dollars and Five Cents (\$20,801.05).

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that awarding Bid No. 00-1/9-23, One New ¾ Ton Long Bed Cab & Chassis Truck with



Utility Body be, and is hereby awarded to Trapp Chevrolet in the amount of Twenty Thousand, Eight Hundred One Dollars and Five Cents (\$20,801.05); and,

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

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairwoman announced that Item No. 5 (Ratifying the Parish President's appointment of Castagnos-Goodwin and Associates to provide professional engineering services in conjunction with the Civic Center Emergency Generator) has been withdrawn from the agenda, as per the request of Administration.

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. D. Henry.

#### RESOLUTION NO. 00-399

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No. 99-CDBG-47, Clinton Street Sewers, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated May 17, 2000, with Phylway Construction, Inc., for the Clinton Street Sewers, Parish Project No. 99-CDBG-47, Terrebonne Parish, Louisiana, and

WHEREAS, this change order provides for the adjustment of pipe sizes and lengths and adds 5 (five) additional cross drains to the project, and

WHEREAS, a construction cost decrease of \$150.00 has been negotiated for this additional work, and

WHEREAS, this added work above will increase the contract time by an additional 6 calendar days, and

WHEREAS, this Change Order No. 1 has been recommended by the ENGINEER and the Service Center Division for this 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 approve and authorize the execution by Terrebonne Parish President Robert J. Bergeron of Change Order No. 1 to the construction agreement with Phylway Construction, Inc., to perform construction services for project No. 99-CDBG-47 (Clinton Street Sewers) which provides for 6 (six) additional calendar days and provides for the adjustment of pipe sizes and lengths and adds 5 (five) additional cross drains to the project for a decrease in the amount of One Hundred Fifty Dollars and No Cents (\$150.00) to the original contract amount, and

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

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. D. Henry.

RESOLUTION NO. 00-400

A resolution authorizing the execution of Change Order No. 2 for the Construction Agreement for Parish Project No. 99-CDBG-47 Clinton Street Sewers, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated May 17, 2000, with Phylway Construction, Inc., for the Clinton Street Sewers, Parish Project No. 99-CDBG-47, Terrebonne Parish, Louisiana, and

WHEREAS, to replace the asphaltic concrete (type 3) with 6" PCC pavement, and

WHEREAS, a construction cost increases of \$6,975.00 has been negotiated for this additional work, and

WHEREAS, a this added work above will increase the contract time by an additional 35 calender days, and

WHEREAS, this Change Order No. 2 has been recommended by the ENGINEER for this project, Coastal Engineering And Environmental Consultants, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Robert J. Bergeron of Change Order No. 2 to the construction agreement with Phylway Construction, Inc., to perform construction services for project No. 99-CDBG-47 (Clinton Street Sewers) which provides for 35 (thirty five) additional calender days and provides for the replacement of the asphaltic concrete (type 3) with 6" PCC pavement for an amount of Six Thousand Nine Hundred Seventy Five Dollars and No Cents (\$6,975.00) to the original contract amount, and

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

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

Upon questioning, Parish Engineer Robert Jones stated that the aforementioned request consists of redesigned outfall ditches and location changes for some of the piping located at crossovers. He continued that road construction for the aforementioned project will not be completed by the holidays.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. R. Boudreaux, Jr.

RESOLUTION NO. 00-401

A resolution authorizing Change Order No. 3 to the Agreement between Owner and Contractor for the Parish Project No. 99-CDBG-08, Lower Grand Caillou Fire Station

WHEREAS, the Terrebonne Parish Consolidated Government did enter into a contract with B. E. T. Construction, Inc., dated January 18, 2000 and recorded under Entry No. 1064646 for Parish Project No.99-CDBG-08, Lower Grand Caillou Fire Station, and

WHEREAS, the fire district is now desirous to change the color of the exterior masonry block surfaces, and

WHEREAS, this change will provide supplemental labor necessary to re-paint the exterior masonry block surfaces, and,

WHEREAS, this change order is necessary to increase the contract amount by an additional \$734.25, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President Robert J. Bergeron to execute Change Order No. 3 to the Agreement between Owner and Contractor for the Lower Grand Caillou Fire Station; Parish Project No. 99-CDBG-08 which will provide supplemental labor necessary to re-paint the exterior masonry block surfaces, for an increase to the contract price of Seven Hundred Thirty-Four Dollars and Twenty-Five Cents (\$734.25).

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

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OFFERED BY: Mr. W. Thibodeaux.  
SECONDED BY: Mr. A Tillman.

RESOLUTION NO. 00-402

A resolution providing for approval of Substantial Completion for the project known as Gibson/Jarvis Bridge Area Improvements, TPCG Project No. 98-CDBG-39, Terrebonne Parish, Louisiana.

WHEREAS, a certain contract has been entered into between the Terrebonne Parish Consolidated Government and Calongne, Inc. designated as Gibson/Jarvis Bridge Area Improvements, TPCG Project No. 98-CDBG-39, Terrebonne Parish, Louisiana, and

WHEREAS, all items of work performed under the contract have been inspected by authorized representatives of the Owner, Engineer, and Contractor.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed in accordance with the Certificate of Substantial Completion, effective as of the date of recording of this resolution and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract under Entry No. 1060967 of the records of Terrebonne Parish, Louisiana; and

BE IT FURTHER RESOLVED that Parish Administration is hereby authorized to pay retainage upon the presentation of a Clear Lien Certificate; and

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

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

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

RESOLUTION NO. 00-403

A resolution providing for the acceptance of work performed by Dupre Brothers Construction Co., Inc., in accordance with the Certificate of Substantial Completion for Brady Road Bridge Emergency Repairs, Parish Project No., Terrebonne Parish, Louisiana

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract with Dupre Brothers Construction Co., Inc., for Brady Road Bridge Emergency Repairs, Terrebonne Parish, Louisiana, and

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

WHEREAS, the Engineer for this project, Coastal Engineering And Environmental Consultants, Inc., recommends the acceptance of the substantial completion, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed in accordance with the contract and specifications in accordance with the Certificate of Substantial Completion, effective as of the date of recording of this resolution, and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract, Terrebonne Parish, Louisiana, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, Coastal Engineering And Environmental Consultants, Inc.

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

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

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

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OFFERED BY: Mr. J.B. Breaux.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 00-404

A resolution for the approval of Change Order No. 4 to the Agreement between Owner and Contractor for Parish Project No. 98-BDGR-09, Federal Aid Project No. ENH-0353(004), State Project No. 744-55-0001, Bayou Terrebonne Boardwalk and Greenspace, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government did enter into a contract with Coastal Contractors, Inc. for Parish Project No. 98-BDGR-09, Federal Aid Project No. ENH-0353(004), State Project No. 744-55-0001, Bayou Terrebonne Boardwalk and Greenspace, Terrebonne Parish, Louisiana, and

WHEREAS, this change will delete the original contract flag pole plaza item and add a pool and statue base installation at this location.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Robert J. Bergeron, to execute Change Order No. 4 to the Agreement between Owner and Contractor for Parish Project No. 98-BDGR-09, Federal Aid Project No. ENH-0353(004), State Project No. 744-55-0001, Bayou Terrebonne Boardwalk and Greenspace, which will increase the contract price in the amount of \$40,694.50.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

Upon questioning, Parish Engineer Robert Jones stated that the Indian statue will have a pond and walkway around it to make it look more natural, and the second statue for Main Street is being constructed. Mr. Jones explained that \$20,000.00 has been set aside for the cost of the statue from the Downtown Development Corporation Account.

OFFERED BY: Mr. J.B. Breaux.

SECONDED BY: Mr. R. Boudreaux, Jr.

RESOLUTION NO. 00-405

A resolution for the approval of Change Order No. 5 to the Agreement between Owner and Contractor for Parish Project No. 98-BDGR-09, Federal Aid Project No. ENH-0353(004), State Project No. 744-55-0001, Bayou Terrebonne Boardwalk and Greenspace, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government did enter into a contract with Coastal Contractors, Inc. for Parish Project No. 98-BDGR-09, Federal Aid Project No. ENH-0353(004), State Project No. 744-55-0001, Bayou Terrebonne Boardwalk and Greenspace, Terrebonne Parish, Louisiana, and

WHEREAS, this change will provide additional contract items and adjust some quantities of contract items required to complete the project; and,

WHEREAS, this change order is necessary to increase the contract amount by an additional amount of \$7,014.41.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Robert J. Bergeron, to execute Change Order No. 5 to the Agreement between Owner and Contractor for Parish Project No. 98-BDGR-09, Federal Aid Project No. ENH-0353(004), State Project No. 744-55-0001, Bayou Terrebonne Boardwalk and Greenspace, which will increase the contract price of Seven Thousand, Fourteen Dollars and Forty-one Cents (\$7,014.41.).

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 00-406

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A PERMANENT SERVITUDE OF DRAIN BY AND BETWEEN THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT AND PALMISANO PROPERTIES, LTD.; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

WHEREAS, Section 2-2(c) of the Parish Code requires that “[A]ny right-of-way agreement containing any commitments and/or obligations by the council beyond the scope of the standard agreement, shall be presented to the full council, by the department of public services, to be approved by the council prior to authorization for signing by the president and/or secretary-treasurer of the council;” and

WHEREAS, the Department of Public works has determined that the interests of the parish would be served by the execution of a permanent servitude of drain by and between the Terrebonne Parish Consolidated Government and Palmisano Properties, LTD.; and

WHEREAS, the proposed permanent servitude of drain would give the parish the right to “dig, clean, maintain, inspect, repair, and alter drainage ditches, canals, or bayous” on certain tracts of property owned by Palmisano Properties, LTD.; and

WHEREAS, the Tract “X” of the proposed permanent servitude of drain may be classified as a wetlands by the U. S. Corps of Engineers and in that event, the parish will be required to apply for and obtain a permit in accordance with the provisions of the Federal Rivers and Harbors Act, Clean Water Act and section 12-66, et seq. of the Parish Code; and

WHEREAS, in the event the federal permitting authority requires mitigation activities or payment, Palmisano Properties, LTD. agrees to contribute \$10,000 towards the payment of such mitigation or reparation and to provide the Terrebonne Parish Consolidated Government with any necessary assistance or information to assist in the wetlands application process; and

WHEREAS, the Terrebonne Parish Council finds that the permanent servitude of drain will serve a public benefit and purpose.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government that the Parish President be and he is authorized to execute a permanent servitude of drain agreement by and between the Terrebonne Parish Consolidated Government and Palmisano Properties, Inc., substantially in accordance with the draft thereof which was filed with the original copy of this resolution in the office of the Clerk of Council on October 18, 2000; and,

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable; and,

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairwoman recognized Mrs. Karen Stevens of 403 6<sup>th</sup> Street, who requested that the committee delay action with respect to a request made by the Coastal Zone Management Advisory Committee regarding the Houma Navigation Canal. She stated that Dr. Loren Scott has completed an economic study of the impacts of deepening the Houma Navigation Canal, and the United States Corps of Engineer has been contracted to conduct a full study of the economic, environment, and structural impacts of deepening the channel. She continued that Senators Landrieu and Breaux have indicated that the report should be completed by December.

Discussion ensued relative to the necessity of dredging the Houma Navigation Canal to promote industrial growth, the Environmental Management Unit Study, and locks on the channel.

Mr. C. Voisin moved, seconded by Mr. J. B. Breaux, "THAT, the Public Services Committee retain the matter relative to the Coastal Zone Management Advisory Committee's request regarding the Houma Navigation Canal in committee for further review."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted

OFFERED BY: Mr. H. Lapeyre.  
SECONDED: Unanimously.

#### RESOLUTION NO. 00-407

WHEREAS, the entire area around the intersection of Highway 311 and St. Charles Street experiences some of the highest traffic counts in all of Terrebonne Parish, and

WHEREAS, many motorists drive on or onto St. Charles Street to get to the residential and commercial areas, causing traffic jams on a regular basis, and

WHEREAS, the Terrebonne Parish Council has received many complaints from motorists who travel this area on a regular basis regarding the lack of appropriate turn arrows on the light at this intersection, and

WHEREAS, the Council would like the Department of Transportation & Development to evaluate the current traffic to determine if the addition of turn arrows would improve the overall traffic conditions in the area.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Department of Transportation & Development be requested to evaluate the current traffic light to determine if the addition of turn arrows on the traffic light at the intersection of Highway 311 and St. Charles Street would help to improve the overall traffic conditions in the area.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairwoman recognized Planning and Zoning Director Patrick Gordon who requested a 30-day time extension to conduct a traffic analysis relative to improved traffic markings on Bayou Gardens Boulevard.

Mr. H. Lapeyre moved, seconded by Mr. J. B. Breaux and Mr. R. Boudreaux, "THAT, the Public Services Committee retain the matter relative to improved traffic markings on Bayou Gardens Boulevard in committee for thirty days."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted

OFFERED BY: Mr. P. Rhodes.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 00-408

WHEREAS, Clendenning Road is a Parish roadway which serves a good portion of the traffic on the Houma-Terrebonne Air Port and intersects Highway 24 (Little Caillou Road), and

WHEREAS, at its intersection with Highway 24, Clendenning Road is a 3-lane road which allows vehicles to turn left, right and continue straight ahead, and

WHEREAS, although Highway 24, near the intersection of Clendenning Road, is heavily used by literally thousands of motorists each day, traffic is certainly expected to increase when the Terrebonne Parish Port construction begins and will greatly multiply when the port facility actually opens, and

WHEREAS, the Terrebonne Parish Council would like to respond to the calls, which are already being received, requesting a traffic light on Highway 24 at its intersection with Clendenning Road.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Louisiana Department of Transportation and Development be requested to evaluate the necessity of installing a traffic light on Highway 24 (Little Caillou Highway) at its intersection with Clendenning Road and that a copy of this resolution be sent to members of Terrebonne Parish's Legislative Delegation representing this area requesting their support.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

Mr. H. Lapeyre moved, seconded by Mr. D. Henry, "THAT, the Public Services Committee introduce an ordinance to correct previous legislation and create a 'No Parking' zone on Carroll Street, and call a public hearing on said matter on November 8, 2000 at 6:30 p. m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted

The Chairwoman recognized Committee Member W. Thibodeaux who informed the committee of his concern relative to large trucks, tractor trailers, and commercial trucks traveling along residential streets, cracked surfaces caused by the large trucks, and the large trucks being unable to maneuver their way through residential areas.

The Chairwoman recognized Planning and Zoning Director Patrick Gordon who informed the committee of the commercial business at the rear of Hall Street which uses the residential street for access, and suggested that a 10-ton weight limit sign be posted.

Committee Member W. Thibodeaux stated that a 10-ton weight limit is currently posted, and continued that he has great concern about the trucks traveling on residential streets.

Mr. W. Thibodeaux moved, seconded by Mr. H. Lapeyre, "THAT, the Public Services Committee direct Administration to consider any possible alternatives for tractor trailers, large trucks, and commercial trucks to regulate their travel along residential streets, and to report back to the committee when convenient."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: J.B. Breaux, C. Duplantis, H. Lapeyre, P. Rhodes, W. Thibodeaux, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux, D. Henry, and C. Voisin.

The Chairwoman declared the motion adopted

Mr. W. Thibodeaux moved, seconded by Mr. J. B. Breaux, "THAT, Public Service Committee introduce an ordinance which will create a '3-Way Stop' on Professional Drive at the cul-de-sac, and call a public hearing on said matter on November 8, 2000 at 6:30 p. m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: J.B. Breaux, C. Duplantis, H. Lapeyre, P. Rhodes, W. Thibodeaux, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux, D. Henry, and C. Voisin.

The Chairwoman declared the motion adopted

The Chairwoman recognized Mr. Ronnie Shaw of 222 Lake Crescent Circle, who yielded his speaker card until after the status report is given on the 70% Drainage Rule.

The Chairwoman recognized Parish Engineer Robert Jones who explained the reasons that the 70% Drainage Rule was enacted, and reasons for variances, and offered suggestions to amend the regulations.

Discussion ensued relative to granting variances from engineering, potential drainage problems as a result of the variances, and turtle backing lots.

Mr. W. Thibodeaux moved, seconded by Mr. R. Boudreaux, "THAT, the Public Services Committee direct the Legal Department to draft an ordinance which will regulate variances from engineering for the regular Council meeting."

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted



The Chairwoman recognized Mr. Ronnie Shaw of 222 Lake Crescent Circle who requested that the Council: 1) post any amendments to the drainage regulations on its website, and 2) allow the Technical Advisory Committee to review the proposed regulations.

Committee Member W. Thibodeaux stated that he acknowledges the request and can extend the public hearing for 30-days instead of two weeks at Wednesday's Council meeting.

Mr. C. Voisin moved, seconded by Mr. D. Henry, "THAT, the Public Services Committee accept a citizens' petition relative to the placement of a '4-Way Stop' sign at the intersection of Raywood Drive and Summerfield Drive, direct Administration to prepare a study on said matter, and retain the matter in committee for further review."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux.

The Chairwoman declared the motion adopted.

Mr. P. Rhodes moved, seconded by Mr. A. Tillman, "THAT, the Public Services Committee introduce an ordinance which will continue the 'No Wake' zone from the Smithridge Bridge to the Sarah Bridge in Bayou Little Caillou, and call a public hearing on said matter on November 8, 2000 at 6:30 p. m."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux.

The Chairwoman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. C. Voisin, "THAT, there being no further business to come before the Public Services Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the motion adopted and the meeting was adjourned at 7:35 p.m.

Christa Duplantis, Chairwoman

Suzette Thomas, Minute Clerk

Ms. C. Duplantis moved, seconded by Mr. J. B. Breaux, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 10/24/00."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairman declared the motion adopted.

The Chairman called for a report on the Community Development & Planning Committee meeting held on 10/24/00, whereupon the Chairman rendered the following:

### COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

OCTOBER 24, 2000

The Chairman, H. Lapeyre, called the Community Development & Planning Committee meeting to order at 7:37 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Mr. J. B. Breaux and the Pledge of Allegiance led by Miss C. Duplantis. Upon roll call, Committee Members recorded as present were: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin. A quorum was declared present.

Mr. J. B. Breaux moved, seconded by Mr. C. Voisin, "THAT, the Community Development & Planning Committee add on to the agenda the matters relative to the purchase of the Bank One Building and parking garage, and a lawsuit titled: 'Plaisance, et al vs. the Terrebonne Parish Consolidated Government'."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J.B. Breaux, H. Lapeyre, P. Rhodes, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis, D. Henry, and W. Thibodeaux.

The Chairman declared the motion adopted

The Chairman recognized Housing and Human Services Administrator Darrell Waire who stated that START Corporation manages the Homeless Shelter from 8:00 a. m. to 8:00 p. m., and Vinson Guard Services is onsite from 8:00 p. m. until 8:00 a. m. Upon questioning, Mr. Waire stated that Terrebonne Parish Consolidated Government employees do not manage the facility. He continued that the aforementioned contract is the same as last year's contract and no changes have been made, and that the agreement may be terminated if both parties agree.

Mr. J. B. Breaux moved, seconded by Mr. C. Voisin, "THAT, the Community Development & Planning Committee authorize the Parish President to enter into an agreement with the START Corporation for the management of the daily operations of the Beautiful Beginnings Center." (\*\*RESOLUTION OFFERED AFTER DISCUSSION)

The Chairman recognized Parish Attorney Carolyn McNabb who stated that Item D of the Terrebonne Parish Consolidated Government/START agreement includes a provision to serve notice of cancellation if something arises; however, a provision should be included to provide notification of termination if no reason is stipulated.

Discussion ensued relative to the number of days allowable for termination.

The Chairman recognized Parish President Robert Bergeron who suggested that a 90-day termination notification be established as opposed to 30-days.

OFFERED BY: Mr. J.B. Breaux.

SECONDED BY: Mr. C. Voisin.

### RESOLUTION NO. 00-409

A resolution authorizing the Parish President, Robert J. Bergeron, to enter into an agreement with START Corporation for the management of the daily operations of the Beautiful Beginnings Center.

WHEREAS, there are families that are in need of shelter and resources to help them to move from the streets to emergency shelters for the homeless, and

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, is committed to providing assistance to those families, and

WHEREAS, START Corporation shares in the desire to assist needy homeless individuals in Terrebonne Parish and has been designated as a Community Housing Development Organization (CHDO) by Terrebonne Parish Consolidated Government Resolution No. 98-192, adopted on May 12, 1998, and

WHEREAS, START Corporation is willing and able to provide Terrebonne Parish Consolidated Government's Beautiful Beginnings Center with management and counseling services.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President, Robert J. Bergeron, to enter into an agreement with START Corporation for the management of the daily operations of the Beautiful Beginnings Center; and,

BE IT FURTHER RESOLVED that said agreement contain a 90-day termination clause by both parties.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., J.B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, this 24<sup>th</sup> day of October, 2000.

\* \* \* \* \*

The Chairman recognized Mr. Ronnie Eschete of 205 Bellingrath Drive, who voiced his opinion relative to the location of the Hospital Service District No. 1 Board meeting. Mr. Eschete requested that the committee clarify the open meeting laws in relation to the aforementioned meeting, to request that an Attorney General's opinion be obtained relative to the meeting being held in South Carolina, and to require that the meetings be held in the domicile of the district. He continued that if the district is found in violation, the members attending the meeting be required to reimburse the service district for the expenses.

The Chairman recognized Terrebonne General Medical Center Director Jay McFarland who stated that the Hospital Service District's legal counselor received an opinion indicating that it was legal to conduct a strategic planning retreat in South Carolina. Mr. McFarland expressed the necessity to conduct an offsite retreat, who attended the meeting, and that the retreat consisted of several hours education, team meetings, and building a consensus for strategic planning.

Committee Member D. Henry requested a copy of the Attorney General's opinion regarding the right for the Board to conduct a meeting outside the district.

The Chairman recognized Hospital Service District No. 1 Board Chairman Robert Picou of 170 Meandering Way, who stated that the retreat has enabled the district to reestablish communication between the Board, staff, and Administration.

The Chairman recognized Hospital Service District No. 1 Vice Chairman Mike Voisin of 116 East Ellendale Estate Court, who stated that members of the board participated in strategic planning efforts at the retreat.

Discussion ensued relative to some Council members being aware of the Terrebonne General Medical Center Board meeting in South Carolina.

Mr. Eschete re-addressed the Council to request that the committee request an Attorney General's opinion relative to the legality of conducting a hospital board meeting outside of the district's domicile, and that the committee require that all meetings are conducted within the district's domicile. NO ACTION TAKEN.

The Chairman recognized Parish Attorney Carolyn McNabb who stated that at this time, a determination as to the exact function of the planning commission can not be made, and additional legislation is being considered by Representative Reggie Dupre, Jr. to define Terrebonne Parish's planning commission. Ms. McNabb then requested additional time to clarify certain sections of the ordinance. Ms. McNabb added that the committee may leave the current legislation which created the planning commission as is, repeal the ordinance, or introduce the changes as stipulated in the committee packet.

Mr. J. B. Breaux moved, seconded by Mr. R. Boudreaux, "THAT, the Community Development & Planning Committee concur with the recommendation of the Legal Department, as presented in the committee packet, to recodify the establishment of the Planning Commission until proper legislation is introduced by the State Legislature." (\*\*MOTION WITHDRAWN AFTER A SUBSTITUTE MOTION IS INTRODUCED)

Parish Attorney Carolyn McNabb interjected that she would like to make minor changes to the ordinance for clarification. Upon questioning, Ms. McNabb stated that if the proposed ordinance is passed, the Houma Zoning Commission will cease to exist and the Planning Commission will assume the responsibility of the planning and zoning commission.

Committee Member J. B. Breaux offered clarification of the proposed motion which is to recodify sections in the Parish Code pertaining to the planning commission.

Discussion ensued relative to zoning restrictions only being imposed within the city limits.

Parish Attorney Carolyn McNabb interjected that the information submitted in the committee packet does not enact what has been offered in Mr. Breaux's motion.

Mr. D. Henry offered a substitute motion, seconded by Mr. C. Voisin, "THAT, the Community Development and Planning Committee retain the matter relative to the planning commission in committee until after the proper Legislative action is introduced, and to re-address the matter in July." (\*\* SUBSTITUTE MOTION ADOPTED AFTER BRIEF DISCUSSION)

Committee Member J. B. Breaux withdrew the original motion.

Discussion ensued relative to a member of both the planning and zoning commission serving on both boards. Parish Attorney Carolyn McNabb indicated that it maybe permissible for a person to serve on both boards, but wanted more time to review all legislation on the topic.

\*\*The Chairman called for the vote on the substitute motion offered by Mr. D. Henry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux.

The Chairman declared the substitute motion adopted.

The Chairman recognized Planning and Zoning Director Patrick Gordon who stated that the matter of granting variances is a technical matter, and the new subdivision regulations will address such matters. Upon questioning, Mr. Gordon stated there have been some delays in approving the regulations due to several reviews by various persons/committees.

Discussion ensued relative to submitting the proposed revised subdivision regulations to the Council for review.

Mr. Gordon explained that the subdivision regulations were drafted to address one type of subdivision, and currently, various types exist and need to be addressed in the regulations.

Discussion transpired relative to the urgency in getting the revised subdivision regulations approved.

The Chairman recognized Mr. Ronald Shaw of 222 Lake Crescent Circle, who informed the committee of the lengthy review process of the revised subdivision regulations, and the reasons why the regulations were postponed.

The Chairman recognized Houma-Terrebonne Regional Planning Commission Alex Ostheimer who stated that the planning commission is in the process of reviewing and revising subdivision regulations which should be ready for review in January. Mr. Ostheimer expressed the need to grant variances for special exceptions in a proper manner.

Mr. R. Boudreaux moved, seconded by Mr. C. Voisin, "THAT, the Community Development & Planning Committee retain the matter relative to variances granted by the Houma-Terrebonne Regional Planning in committee until January when the subdivision regulations are addressed." (MOTION ADOPTED AFTER DISCUSSION)

Committee Member D. Henry requested that the revised subdivision regulations be forwarded to the Technical Advisory Committee for review.

\*\*The Chairman called for the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Committee Member R. Boudreaux who voiced his concern relative to changes to the grading of lots after planning commission approval has been granted.

The Chairman recognized Planning and Zoning Director Patrick Gordon who stated that Administration previously proposed an ordinance which would have addressed the aforementioned matter during the permitting phase; however, the ordinance was denied. Mr. Gordon stated that Administration can resubmit the ordinance if the committee so wishes.

Mr. R. Boudreaux moved, seconded by Mr. C. Voisin, "THAT, the Community Development & Planning Committee direct Administration to resubmit a proposed ordinance which would regulate changes to lots after Planning Commission approval has been approved, and to readdress the matter in two weeks."

The Chairman called for the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman announced that Item No. 6 (ongoing view of the current subdivision regulations) was previously handled under Item No. 4 (variances granted by the Houma-Terrebonne Regional Planning Commission).

Mr. R. Boudreaux moved, seconded by unanimously, "THAT, the Community Development & Planning Committee authorize Administration to continue negotiations for the purchase of the Bank One Building and Parking Garage." (\*\*MOTION ADOPTED AFTER DISCUSSION)

The Chairman recognized Parish President Robert Bergeron who stated that the inspections on the Bank One Building have come in favorable, and he then yielded to Public Works Director Al Levron for a status report.

The Chairman recognized Public Works Director Al Levron who present a brief synopsis on the findings of the Bank One Building Inspection Report.

Parish President Robert Bergeron informed the committee that \$350,000.00 is at stake if the Parish Government chooses to withdraw its offer for the Bank One Tower and parking garage.

Upon questioning, Mr. Al Levron explained that at some point, the cooling/heating system will need replacement. Mr. Levron added that the minor changes reported in the inspection have not been assessed a cost of repair.

Discussion ensued relative to the purchase of the Bank One Building and Parking Garage being an asset for the citizens of Terrebonne Parish.

Parish President Bergeron informed the committee that signage on the building has been resolved by all parties involved and other options will be considered for the use of the building located at 301 and 309 Goode Street. Mr. Bergeron further noted that the escalator to the second floor of the Bank One Building will be removed, and aesthetic changes will be made to the entrance of the building.

\*\*The Chairman called for the vote on the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. P. Rhodes, "THAT, the Community Development & Planning Committee pursuant to R. S. 42:7 convene into executive session to discuss the matter relative to the lawsuit titled: 'Plaisance, et al vs. Terrebonne Parish Consolidated Government', and invite into said session Parish President Robert Bergeron and Parish Attorney Carolyn McNabb."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. D. Henry moved, seconded by Mr. P. Rhodes, "THAT, the Community Development & Planning Committee return to regular order of business."

The Chairman called for the vote on the motion offered by Mr. D. Henry.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Miss C. Duplantis moved, seconded by Mr. D. Henry, "THAT, the Community Development & Planning Committee concur with the Legal Advisor in the matter relative to 'Plaisance, et al vs. Terrebonne Parish Consolidated Government'."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. R. Boudreaux moved, seconded by Miss C. Duplantis, "THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned."

The Chairman called for the vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: R. Boudreaux, J. B. Breaux, C. Duplantis, D. Henry, H. Lapeyre, P. Rhodes, W. Thibodeaux, A. Tillman, and C. Voisin.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 9:50 p.m.

Harold Lapeyre, Chairman

Suzette Thomas Minute Clerk

Mr. H. Lapeyre moved, seconded by Mr. R. Boudreaux, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 10/24/00."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairman declared the motion adopted.

Mr. J. B. Breaux moved, seconded by Mr. P. Rhodes, "THAT, the Council authorize the installation of the following street lights:

INSTALL LIGHT ON NEW POLE AT THE END OF BAYOU BLUE LANE (MONA TRICHE, 876-2831); ROAD LIGHTING DISTRICT NO. 1; SLECA; CHRISTA DUPLANTIS

CHANGE LIGHT ON EXISTING POLE AT CORNER OF CLENDENNING ROAD AND HIGHWAY 24 TO A 400 WATT HIGH PRESSURE SODIUM; USD ROAD LIGHTING; T.P.C.G. UTILITIES; PETER RHODES

INSTALL LIGHT ON EXISTING POLE AT 585 BAYOU DULARGE HIGHWAY (CLINTON BABIN, NEW RESIDENCE); ROAD LIGHTING DISTRICT NO. 4; SLECA; CLAYTON VOISIN

INSTALL (3) 100W HIGH PRESSURE SODIUM LIGHTS ON EXISTING POLES ON LA 24 NORTH, SCHRIEVER, ON LAST POLE BEFORE WATER PLANT ROAD; ON POLE AT WATER PLANT ROAD AND LA 24 NORTH; AND 1<sup>ST</sup> POLE PAST WATER PLANT ROAD INTERSECTION

ERECT 7 POLES AND INSTALL 7 100W HPS LIGHTS, PER ENTERGY SKETCH, ON AL'S COURT IN GRAY

REPLACE ALL EXISTING 175W ONLY MERCURY VAPOR LIGHTS ON EXISTING POLES WITH 100W HPS 24/20 NORTH BETWEEN NEW US 90 AND PERCY BROWN ROAD; ON LA 20/24 SOUTH BETWEEN DUPLANTIS STREET AND WESTFIELD DRIVE IN GRAY

REPLACE ALL EXISTING 175W MERCURY VAPOR LIGHTS ONLY ON EXISTING POLES ON LA 316 BAYOU BLUE ROAD, BETWEEN LA 24 SOUTH AND LOSS BAYOU IN GRAY

REPLACE EXISTING LIGHTS WITH 1000 SQUARE MERCURY VAPOR LIGHTS ON EVERY POLE ON THE BAYOUSIDE OF WEST PARK AVENUE BETWEEN DOUGLAS DRIVE AND BAYOU GARDENS BLVD.; ENTERGY; ROAD LIGHTING DISTRICT 3; RAY BOUDREAUX."

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairman declared the motion adopted.

Mr. R. Boudreaux moved, seconded by Mr. J. B. Breaux, "THAT, the Council authorize attendance at the following meetings as per the current Council Travel Policy:

- A) Training Conference & Jail Expo.; Columbus Ohio, April 22-26, 2001.
- B) Police Jury Association Annual Conference, Lafayette, February 9 & 10, 2001."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairman declared the motion adopted.

Mr. W. Thibodeaux moved, seconded by Mr. R. Boudreaux, "THAT, the Council re-appoint Mr. Joseph Harris, Jr. to another term on the Board of Zoning Adjustments."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. B. Breaux moved, seconded by Mr. H. Lapeyre, "THAT, the Council re-appoint Mrs. Juanna Woodard to another term on the Downtown Development Corporation (representing the Chamber of Commerce)."

The Chairman called for a vote on the motion offered by Mr. J. B. Breaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. P. Rhodes moved, seconded by Mr. R. Boudreaux, "THAT, the Council nominate Mrs. Kaye LeBlanc, Mr. Jerome Zeringue, and Mr. Mike Capello for the vacancy on the CZM Advisory Committee (representing the Recreational Fishing industry), that nominations be closed, and that a voice vote of the Council be taken to determine who will fill said vacancy."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman called for a voice vote of the Council to determine who would fill the vacancy on the CZM Advisory Committee, representing the Recreational Fishing Industry, whereupon the following was recorded:

KAYE LEBLANC

JEROME ZERINGUE

W. Thibodeaux  
C. Duplantis  
H. Lapeyre

R. Boudreaux  
J. B. Breaux  
D. Henry



C. Voisin  
P. Rhodes  
A. Tillman

MIKE CAPELLO

The Chairman stated, as per the aforementioned results, Ms. Kaye LeBlanc is appointed to the CZM Advisory Committee, representing the Recreational Fishing Industry.

The Chairman recognized Ms. Kaye LeBlanc who thanked the Council for the appointment to the CZM Committee.

Mr. R. Boudreaux moved, seconded by Mr. H. Lapeyre, "THAT, the Council open nominations until 11/8/00 for the expired terms of Ms. Shirley Levron and Ms. Patsy Naquin on the Recreation District No. 6 Board."

The Chairman called for a vote on the motion offered by Mr. R. Boudreaux.

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. R. Boudreaux, "THAT, the Council re-appoint Mrs. Gayle Riche to another term on the Terrebonne Parish Enhancement Commission (District 9) and that nominations remain open until 11/8/00 for the expired position of Mr. Dave Coignet on said board (District 9)."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. J. B. Breaux, "THAT, the Council open nominations until 11/8/00 for the vacancy on the Recreation District No. 10 Board, with the recent passing of Mr. Steve Falcon."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. W. Thibodeaux, "THAT, the Council open nominations until 11/8/00 for the vacancy on the Schriever Fire Protection District Board with the resignation of Mr. Greg Greco."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. W. Thibodeaux moved, seconded by Mr. A. Tillman, "THAT, the Council open nominations until 11/8/00 for the vacancy on the Recreation District No. 11 Board, with the resignation of Mr. Kyle Faulk."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Rhodes.

SECONDED: Unanimously.

#### RESOLUTION NO. 00-410

WHEREAS, the Houma-Terrebonne Airport Commission is continuously striving to enlarge and, more importantly, improve the Airport in Terrebonne Parish, and

WHEREAS, in an effort to support new aviation equipment by Airport tenants, the Commission has deemed that the strengthening and improvements to the fifty-five year old runway is of dire importance to the Airport and to Terrebonne Parish as a whole, and

WHEREAS, estimated costs for said improvements exceed Ten Million Dollars (\$10,000,000.00), and are far above the financial capabilities of the local Airport Commission, and

WHEREAS, the Commissioners have made pleas for financial assistance to Terrebonne Parish's Congressional Delegation and to the Federal Aviation Administration for this needed project, and

WHEREAS the Terrebonne Parish Council fully supports the Airport Commission in their quest for federal dollars for the runway project.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that Senator John Breaux, Senator May Landrieu and Congressman Billy Tauzin, along with all members of the Terrebonne Parish Legislative Delegation, be requested to support the Houma-Terrebonne Airport Commission's application for federal assistance for the Runway Strengthening Improvements Project at the Houma-Terrebonne Airport.

THERE WAS RECORDED:

YEAS: R. Boudreaux, Jr., C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes and D. Henry.

NAYS: None.

ABSTAINING: None.

ABSENT: W. Thibodeaux and A. Tillman.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

Chairman D. Henry announced the Big Band Bash to be held on Saturday, October 28, at the Houma Municipal Auditorium between the hours of 8:00 p.m. and 12:00 midnight.

Councilman A. Tillman announced a Weed & Seed Meeting to be held on November 8, at 2:00 p.m. at the Mechanicville Gym.

Parish President R. Bergeron announced his recent appointments of Ms. Anne Lirette and Mr. Mike Solet to the Houma Housing Authority.

Parish President R. Bergeron submitted his recommended appointment of Mr. Brian Hebert as the Fire Chief for the Houma Fire Department.

Chairman D. Henry stated that this appointment needs to be held over for a period of two weeks.

Mr. C. Voisin moved, seconded by Mr. J. B. Breaux, "THAT, the Council authorize the Parish President to enter into an agreement with Foreman & Associates, Inc. to complete the necessary work activities in the completion of the application for the Weed and Seed Program on a fixed fee basis of \$5,000.00."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

Chairman D. Henry stated that agenda item 9D (Report by Earth Search and discussion on the Southdown Cemetery issue) had been handled earlier in the proceedings.

Mr. C. Voisin moved, seconded by Mr. P. Rhodes, "THAT, the Council allow the following add-ons to the agenda: 1) An application for a Rural Development Grant and 2) Extension of a contract for the Clearing and Snagging within Bayou Lacache."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. W. Thibodeaux.

SECONDED BY: Mr. H. Lapeyre.

#### RESOLUTION NO. 00-411

WHEREAS, the Terrebonne Parish Council wishes to promote the health, safety, and welfare of the citizens of Terrebonne Parish, and

WHEREAS, the provision of water service by the installation of a standard eight-inch waterline and fire hydrant promotes these goals, and

WHEREAS, the residents of Redmond Street in Schriever, Louisiana, are inadequately served by a two-inch waterline that is exposed above ground, subject to breakage, and provides little in the way of fire protection, and

WHEREAS, the Governor's Office of Rural Development offers grant funds for worthy projects in rural areas of eligible recipient parishes throughout the State of Louisiana, and

WHEREAS, Terrebonne Parish is eligible to receive said grant funds with no local match requirement for use on rural projects and this waterline project is supported by Administration and recommended to the Council for its support.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Parish's Department of Cultural Resources & Economic Development is hereby authorized to prepare and the Parish President is authorized to execute the necessary documents in order to apply for a Rural Development Grant in the amount of \$48,000 through the Governor's Office of Rural Development for an eight-inch waterline and fire hydrant on Redmond Street in Schriever, Louisiana.

THERE WAS RECORDED:

YEAS: W. Thibodeaux, C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux, Jr.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

\* \* \* \* \*

OFFERED BY: Mr. P. Rhodes.  
SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 00-412

A resolution authorizing the Parish President to extend the services contract with Prestenbach Brother's Construction Company to provide additional services for clearing and snagging within Bayou LaCache, and to address other matters relative thereto.

WHEREAS, the Terrebonne Parish Consolidated Government has identified a problem with an abundance of fallen trees, vegetation and debris in Bayou LaCache, and

WHEREAS, Bayou LaCache is a significant element of the drainage system, and

WHEREAS, Prestenbach Brother's Construction is currently performing work in Bayou LaCache, and

WHEREAS, due to the abundance of debris in the drainage channel, the original amount of money authorized is insufficient to complete the project, and

WHEREAS, the Drainage Department has estimated that additional \$400,000.00 is required to complete said project, and has verified that funds are available in the Drainage Account.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the expenditure of an additional \$40,000.00 to complete the Bayou LaCache clearing and snagging project is hereby authorized.

THERE WAS RECORDED:

YEAS: W. Thibodeaux, C. Duplantis, J.B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: R. Boudreaux, Jr.

The Chairman declared the resolution adopted on this, the 25<sup>th</sup> day of October, 2000.

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Mr. C. Voisin moved, seconded by Mr. P. Rhodes, "THAT, there being no further business to come before the Council, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: W. Thibodeaux, R. Boudreaux, C. Duplantis, J. B. Breaux, H. Lapeyre, C. Voisin, P. Rhodes, D. Henry, and A. Tillman.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the motion adopted.

VENITA H. WHITNEY  
MINUTE CLERK

ATTEST:

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DANIEL D. HENRY, CHAIRMAN  
TERREBONNE PARISH COUNCIL

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PAUL A. LABAT, COUNCIL CLERK  
TERREBONNE PARISH COUNCIL