

**PROCEEDINGS**  
**OF THE**  
**TERREBONNE PARISH COUNCIL**  
**IN REGULAR SESSION**

**JULY 27, 2016**

The Chairman, Mr. J. Navy, called the meeting to order at 6:00 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, offered by Councilman A. Marmande, Councilman S. Trosclair led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden. A. Williams was recorded as absent. A quorum was declared present.

The Chairman read aloud a memo from the Council Clerk explaining Councilwoman A. Williams absence from tonight's proceedings.

The Chairman recognized State Representative Jerome Zeringue who was in attendance at tonight's proceedings.

Ms. C. Duplantis-Prather moved, seconded by Mr. D. J. Guidry, "THAT, the Council approve the minutes of the Regular Council Session held on 06/22/16."

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman explained that the minutes of the Special Session Condemnation Hearings held on July 26, 2016, will be distributed at the next Council meeting.

Ms. C. Duplantis-Prather moved, seconded by Mr. S. Trosclair, "THAT, the Council approve the Parish Bill Lists dated 07/11/16, 7/18/16 and 07/25/16."

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, G. Michel and S. Dryden.

NAYS: None.

ABSENT: A. Williams.

ABSTAINING: J. Navy.

The Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair and Mr. G. Michel, "THAT, the Council approve the Manual Check Listing for June 2016."

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded by Ms. C. Duplantis-Prather, "THAT, the Council move Agenda Item 1A - Senator 'Bret' Allain presents a legislative briefing on the 2016 Senate Regular & Second Extraordinary Legislative Sessions until later in the proceedings, to await Mr. Allain's arrival."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman recognized State Representative Jerome Zeringue, who thanked the Council for inviting him to speak tonight and briefly gave an update on action taken by the House of Representatives during the 2016 Regular and Second Extraordinary Legislative Sessions. Representative Zeringue expressed that structural changes will need to be made to prevent the state from facing deficit problems in fiscal years 2018-2019.

Councilwoman C. Duplantis-Prather thanked Representative Zeringue for all of his efforts and commended him for the work he has done for Terrebonne Parish.

Ms. C. Duplantis-Prather moved, seconded by Mr. D. J. Guidry and Mr. S. Trosclair, "THAT, the Council re-visit Agenda Item 1A - Senator 'Bret' Allain presents a legislative briefing on the 2016 Senate Regular and Second Extraordinary Legislative Sessions."

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman recognized State Senator 'Bret' Allain who gave a legislative briefing on the 2016 Senate Regular and Second Extraordinary Legislative Sessions. Senator Allain explained that receiving capital outlay monies was a tremendous struggle; however, Terrebonne Parish was able to receive capital outlay monies to complete the projects that were already committed and projects that have Cooperative Endeavor Agreements.

Senator Allain continued and expressed that future capital outlay money will be limited and that having the Bond Commission recognize the Field of Dreams will be tough. He explained that structural changes will be needed to fix the budget; and noted that these changes need to be done in 2017 due to conditional revenues sun setting in 2018.

Councilman D. W. Guidry Sr. thanked Senator Allain for his briefing and expressed that the Terrebonne Parish Sports Park is anticipated to bring revenue to Terrebonne Parish and asked Senator Allain for any help getting park "priorities" so that it can begin to be utilized.

Councilwoman C. Duplantis-Prather thanked Senator Allain for the great work he has done for Terrebonne Parish, drainage in the Lisa Park area and his help with saving Chabert Medical Center.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair., “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. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

- A. A proposed ordinance making revisions to Chapter 14, “Nuisance Abatement” of the Terrebonne Parish Code Of Ordinances.

Mr. Alex Ostheimer, a Houma resident, stated that in his opinion, if the aforementioned ordinance states that a business owner should secure their building adequately to prevent break-ins, business owners need to know exactly what constitutes a building to be secured adequately; and noted that a definition should be written in the ordinance.

Mr. Ostheimer continued and stated that, with the downturn in the economy, property owners will have no reason to refurbish said properties because they do not have anyone to rent them. He explained that if these properties are demolished, they will come off of tax ledgers and then the amount of property taxes at the end of the year will decrease.

Ms. Lucretia McBride, a Houma resident, stated that she is in support of the aforementioned ordinance and have found that many deplorable homes are being rented to handicap and/or disabled people. Ms. McBride questioned Councilman G. Michel as to why he felt the changes in the aforementioned proposed ordinance were overreaching.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair and Mr. G. Michel, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

*\*(Ordinance adopted after discussion.)*

Councilman G. Michel stated that he felt as though parts of the aforementioned proposed ordinance were not enforceable; however, parts of it are very good.

Upon questioning from Councilman G. Michel, Ms. Lucretia McBride stated that when she refers to the verbiage "we", it means others who do not wish to speak publicly.

OFFERED BY: Mr. D. J. Guidry  
SECONDED BY: Mr. S. Trosclair and Mr. A. Marmande

**ORDINANCE NO. 8747**

AN ORDINANCE TO AMEND THE TERREBONNE PARISH CODE OF ORDINANCES, CHAPTER 14, "NUISANCE ABATEMENT", AS PER "ATTACHMENT A" AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

**SECTION I**

**BE IT ORDAINED** by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne Parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, to amend the Terrebonne Parish Code of Ordinances, Chapter 14 "Nuisance Abatement" as per "Attachment A".

**SECTION II**

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

**SECTION III**

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

\*\*\*\*\*

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

**THERE WAS RECORDED:**

YEAS: S. Dryden, C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and G. Michel.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

\*\*The Chairman declared the ordinance adopted on this the 27th day of July 2016.

## ATTACHMENT A

- [Chapter 14 - NUISANCE ABATEMENT](#)
- [ARTICLE I. - IN GENERAL](#)
- [Sec. 14-1. - Parish nuisance ordinances, how cited.](#)
- [Sec. 14-2. - Purpose.](#)
- [Sec. 14-3. - Authority.](#)
- [Sec. 14-4. - Jurisdiction.](#)
- [Sec. 14-5. - Interpretation.](#)
- [Sec. 14-6. - Severability.](#)
- [Sec. 14-7. - Saving provision.](#)
- Sec. 14-8.- Property Maintenance Code
- [Secs. 14-9—14-25. - Reserved.](#)
- [ARTICLE II. - DEFINITIONS](#)
- [Sec. 14-26. - Words and terms defined.](#)
- [Sec. 14-27. - Council's right to approve plan or project.](#)
- [Secs. 14-28—14-45. - Reserved.](#)
- [ARTICLE III. - LITTERING](#)
- [Sec. 14-46. - Littering prohibited.](#)
- [Secs. 14-47—14-65. - Reserved.](#)
- [ARTICLE IV. - VEGETATION, TRASH, AND JUNK](#)
- [Sec. 14-66. - Classifications of property.](#)
- [Sec. 14-67. - Prohibitions.](#)
- [Secs. 14-68—14-95. - Reserved.](#)
- [ARTICLE V. - JUNK AND TRASH IN PUBLIC VIEW](#)
- [Sec. 14-96. - Prohibition.](#)
- [Sec. 14-97. - Remedies.](#)
- [Sec. 14-98—14-124. - Reserved.](#)
- [ARTICLE VI. - VESSELS](#)
- [Sec. 14-125. - Vessels posing immediate danger classified a nuisance.](#)
- [Sec. 14-126. - Abandonment of vessels classified a nuisance.](#)
- [Sec. 14-127. - Abandonment defined.](#)
- [Sec. 14-128. - Remedy.](#)
- Sec. 14-129. – Immediate removal authorized.

- [Secs. 14-130—14-155. - Reserved.](#)
- ARTICLE VII. - CONDEMNATIONS
- [Sec. 14-156. - Dilapidated and dangerous structures declared a nuisance.](#)
- [Sec. 14-157. - Policy.](#)
- [Sec. 14-158. - Findings of fact and purpose.](#)
- Sec. 14-159. - Remedy
- [Secs. 14-160—14-169. - Reserved.](#)
- ARTICLE VIII – BLIGHTED OR ABANDONED PROPERTY
- Sec. 14-170.- Blighted or Abandoned property purpose and declarations as a nuisance.
- Sec. 14-171- Violations; Remedy
- Sec. 14-172-Redemption Period.
- Sec. 14-173-14-185- Reserved.
- [ARTICLE IX. - JUNKED, ABANDONED, AND INOPERATIVE VEHICLES](#)
- [Sec. 14-186. - Nuisance declared; prohibitions; exceptions.](#)
- [Sec. 14-187. - Declared public property.](#)
- [Sec. 14-188. - Violations; abatement.](#)
- [Sec. 14-189. - Immediate removal authorized.](#)
- [Sec. 14-190. - Removal from public and private property by owner.](#)
- [Secs. 14-191—14-199. - Reserved.](#)
- [ARTICLE X. - EXCESSIVE NOISES](#)
- [Sec. 14-200. - Excessive noises declared a nuisance.](#)
- Sec. 14-201. – Administration, Remedies and Enforcement
- [Sec. 14-202. - Exceptions.](#)
- Sec. 14-203-14-299 Reserved.
- ARTICLE XI. - ADMINISTRATION, REMEDIES AND ENFORCEMENT.
- [Sec. 14-300. - Nuisance abatement shall not abrogate enforcement of state and local crimes.](#)
- [Sec. 14-301. - Civil enforcement of nuisance violations.](#)
- [Sec. 14-302. - Criminal enforcement of nuisance violations.](#)
- [Sec. 14-303. - Powers of the department of planning and zoning relative to nuisance abatement.](#)
- [Sec. 14-304. - Nuisance warnings; forms; required contents; form of service.](#)
- [Sec. 14-305. - Nuisance citation forms.](#)
- [Sec. 14-306. - Service of nuisance citations.](#)

- [Sec. 14-307. - Uncontested disposition of nuisance citations.](#)
- [Sec. 14-308. - Disposition of contested citations.](#)
- Sec. 14-309. - Creation of the Nuisance Administrative Hearing Officer
- [Sec. 14-310. - Citation as legal demand and prima facie evidence.](#)
- [Sec. 14-311. - Responsibility of proprietary party and occupant.](#)
- [Sec. 14-312. - Adjudication based on submissions.](#)
- [Sec. 14-313. - Hearings for disposition of contested nuisance citations.](#)
- [Sec. 14-314. - Failure to appear at hearing; consequences.](#)
- [Sec. 14-315. - Schedule of fines; administrative and remedy costs.](#)
- [Sec. 14-316. - Judicial review.](#)
- [Sec. 14-317. - Method of notice.](#)
- [Sec. 14-318. - Disposition of monetary penalties.](#)
- [Sec. 14-319. - Immediate danger or hazard.](#)
- Sec. 14-320.- Barking dog affidavit
- Sec. 14-321.- Exclusion of condemnations.
- Sec. 14-322-399- Reserved.
- [ARTICLE XII. - JUSTICE OF THE PEACE COURTS](#)
- [Sec. 14-400. - Purpose.](#)
- [Sec. 14-401. - Authority.](#)
- [Sec. 14-402. - Definitions.](#)
- [Sec. 14-403. - Authority.](#)
- [Sec. 14-404. - Penalty.](#)
- [Sec. 14-405. - Appeal.](#)
- [Sec. 14-406. - Prosecutor.](#)

## Chapter 14 - NUISANCE ABATEMENT<sup>[1]</sup>

Footnotes:

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**Editor's note**—Ord. No. 6492, adopted Sept. 26, 2001, repealed Ch. 14, Arts. I—III, §§ 14-26—14-28, 14-71—14-74, and 14-91—14-95, in its entirety and enacted new provisions to read as herein set out. Prior to that amendment, Ch. 14, pertained to Junk and Abandoned Vehicles and derived from the City Code 1965, §§ 22-44(a)—(c), 9-200—9-204; Parish Code 1979, §§ 13-31—13-33, 13-50—13-52; and Ord. No. 4563, adopted Oct. 10, 1990.

**Cross reference**— Garbage, trash, hazardous wastes and weeds, Ch. 11; health and sanitation, Ch. 13; licenses and miscellaneous business regulations, Ch. 16; motor vehicles and traffic, Ch. 18; offenses and miscellaneous law enforcement provisions, Ch. 19; abandonment or stockpiling of trailers, § 17-39; abandoned sunken vessels, § 22-296 et seq.

**State Law reference**— Abandoned vehicles, R.S. 32:471 et seq.; notification of owners and mortgage holders of illegally parked abandoned motor vehicles, R.S. 32:475; disposition of

abandoned vehicles stored or in possession of dealer or repairman, R.S. 32:525; purchases of junk, R.S. 51:571 et seq.

#### ARTICLE I. - IN GENERAL

##### Sec. 14-1. - Parish nuisance abatement ordinances, how cited.

These ordinances shall be known, cited, and referred to as the "Nuisance Abatement Ordinance of Terrebonne Parish."

(Ord. No. 6492, 9-26-01)

##### Sec. 14-2. - Purpose.

The purpose of these ordinances includes but is not limited to the following protections:

- (1) To protect and provide for the public health, safety, and general welfare of the citizens of the parish;
- (2) To ensure a healthful living environment through the abatement of blight, noxious derelict structures, accumulations, trash, garbage, junked vehicles, abandoned vessels and other unsanitary conditions that are a menace to the health of people residing in the vicinity thereof, or present a more than ordinarily dangerous fire hazard in the vicinity where it is located; and
- (3) Eliminate conditions which are conducive to the harborage of rats, mice, snakes, and other vermin.

(Ord. No. 6492, 9-26-01)

##### Sec. 14-3. - Authority.

By authority of the ordinances set forth herein, adopted pursuant to the powers and jurisdiction vested through the Terrebonne Parish Home Rule Charter, The Louisiana Constitution and other applicable state statutes, laws, and ordinances, Terrebonne Parish does hereby exercise the power and authority to abate the existence of all nuisances, as defined in section 14-26, and throughout this chapter.

(Ord. No. 6492, 9-26-01)

##### Sec. 14-4. - Jurisdiction.

The ordinances of this chapter shall apply to all property movable or immovable situated within the parish.

(Ord. No. 6492, 9-26-01)

##### Sec. 14-5. - Interpretation.

In the interpretation and application, the ordinances of this chapter shall be held to be the minimum requirements for securing the health, safety, and welfare of the citizens of the parish.

(Ord. No. 6492, 9-26-01)



Sec. 14-6. - Severability.

If any ordinance or any part thereof within this chapter or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of these provisions or the application thereof to other persons or circumstances. It is hereby declared that the remainder of these provisions would have been enacted, even without any such part, provision, or application.

(Ord. No. 6492, 9-26-01)

Sec. 14-7. - Saving provision.

These ordinances shall not be construed as abating any action now pending under, or by virtue of prior existing ordinances, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the parish under any section or provision existing at the time of adoption of these ordinances, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the parish, except as shall be expressly provided for in these ordinances.

(Ord. No. 6492, 9-26-01)

Sec. 14-8. – Interpretation of Property Maintenance Code and other applicable ordinances.

The Property Maintenance Code adopted in Sec. 6-110 of the Code of Ordinances may also be enforced to address certain nuisance conditions. Where the Property Maintenance Code and the ordinances of this nuisance abatement chapter are simultaneously applied, whichever provision of the Code imposes greater restrictions on the subject matter than another more general provision imposed by the Code or other law, the provision imposing the greater restriction or regulation shall be deemed to be controlling. For purposes of compliance with this chapter, where the Property Maintenance Code is referred to, the enforcement provisions of Article XI of this Nuisance Abatement Chapter shall apply in lieu of the remedies provided by the Property Maintenance Code.

In the interpretation and application of any of the ordinances in this Chapter, these ordinances are non-exclusive and shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any other ordinance of the Code imposes greater or more beneficial restrictions upon the subject matter than another more general provision of this Chapter, the ordinance imposing the greater or more beneficial restriction or regulation shall be deemed to be controlling.

Secs. 14-9—14-25. - Reserved.

ARTICLE II. - DEFINITIONS

Sec. 14-26. - Words and terms defined.

- (a) For the purposes of this chapter, the following terms, phrases, words and derivations shall have the meaning given herein, unless it is apparent from the context that a different meaning is intended:

Abandoned/junked vehicle. Any motor vehicle which is intended to be self-propelled and designed to travel along the ground the condition of which is as follows:

- (1) Wrecked, dismantled, partially dismantled, inoperative, abandoned, or discarded, the condition of the vehicle being such that it is considered to be a total loss. The term "total loss" shall mean (1) that the cost to repair a damaged or dismantled vehicle exceeds the junk or salvage value of the said vehicle, as determined by any recognized national appraisal book and/or a qualified appraiser of motor vehicles; and (2) the vehicle has been left unattended for at least forty-eight (48) consecutive hours on public property or at least seven (7) days on private property in such condition by reason of deterioration of the manner in which it is maintained that it is so damaged or dismantled as to be unusable as a self-propelled vehicle capable of traveling along the ground.
- (2) The definition of abandoned/junked vehicle does not include any antique vehicle as defined in this section provided that the antique vehicle and its storage area are maintained in such a manner that they do not constitute a health, safety or fire hazard.

Antique vehicle. The term "antique vehicle" means any motor vehicle which is twenty-five (25) years old or older, has not been materially modified or altered from the original manufacturer's specifications, is being collected, preserved, restored, operated, or maintained by a hobbyist because of its historic interest, and is registered with the Louisiana Office of Motor Vehicles as an antique motor vehicle.

*Blighted or Abandoned Property* means commercial or residential property including lots, which are uninhabitable, are considered hazardous to persons or property because of their physical condition, vacant or not lawfully occupied (the terms "vacant" or "not lawfully occupied" shall include but shall not be limited to any property which is not actually occupied by its' owner, lessee or other invitee or if occupied, without utilities and which has been left unsecured or inadequately secured from unauthorized entry to the extent that the property could be entered and utilized by vagrants or other uninvited persons, as a place of harborage for stray animals, rodents, insects, and vermin infestation issues; a property with inadequate streets or access for emergency vehicles and utility and parish service vehicles; a property with conditions conducive to juvenile delinquency, loitering and crime which includes locations upon which drug selling and/or use, prostitution, crimes of violence and other offenses; a property with junked or obsolete vessels or other marine debris; property by which reason of dilapidation, deterioration, state of disrepair, has been condemned, or other such status is otherwise detrimental to or endangers the public safety, health or welfare.

Buffer zone. As relates to tall grass, the term "buffer zone" means the land adjacent to and within thirty (30) feet of a subdivision and all lands within one hundred fifty (150) feet of any inhabited structure. Unless expressly stated, Buffer Zone shall have no other applicability in Chapter 14.

Dead animals. See "Putrescible waste".

Department. The term "department" means the Department of Planning and Zoning of the Terrebonne Parish Consolidated Government designated by the parish president to administer the ordinances of this article.

Dilapidated and dangerous structure. Any building, structure or portion thereof which has been deemed dangerous and dilapidated and endangers the public welfare due to the following nonexclusive factors: creates a hazard to life because inadequacies in the area of proper exits; lack of foundation and structural integrity; poses as a fire hazard; is unsuitable for human habitation or use to which the structure was generally intended; is or may be becoming a place of rodent or insect infestation; is littered with trash and debris; or otherwise constitutes a hazard to health, welfare and safety because of inadequate maintenance, sanitation, obsolescence, or abandonment.

Dog and domestic animal noise. See "Excessive noises".

Excessive noises.

- (1) The term "excessive noises" as pertains to a private residence, means sound amplified by electrical or mechanical means or any combination thereof to the extent that it is heard outside of the residence in which the sound equipment is located.
- (2) The term "excessive noises" as pertains to any commercial structures, means sound produced by radio, television, loudspeakers, musical equipment or devices, within the interior or on the exterior of commercial buildings, which is audible at a distance of seven and one-half (7.5) meters (twenty-five (25) feet) or exceeds seventy (70) decibels in volume.
- (3) The term "excessive noises" as pertains to motor vehicles, means sound produced by radio, television, loudspeakers, musical equipment or devices, within the interior or on the exterior of motor vehicles, which is audible at a distance of seven and one-half meters (7.5) (twenty-five (25) feet) or exceeds seventy (70) decibels in volume.
- (4) The term "excessive noises" as pertains to dogs and domestic animals, means any noise that a dog or domestic animal in an individual's care, custody and control within a subdivision or within one hundred fifty (150) feet of any inhabited property makes continuously and / or intermittently for a minimum of ten (10) minutes and which occurs between the hours of 9:00 p.m. and 7:00 a.m.

Inoperative. The term "inoperative" means incapable of self-propelled movement. A vehicle which is not currently and validly registered for operation or use on highways and streets, as required by law, is presumed to be inoperative.

Junk. The term "junk" means any trash, refuse, garbage, debris, printed paper flyers, handbills, mobile homes, and/or trailers, rubbish, old or scrap rope, rags, batteries, paper, trash shopping carts, discarded refrigerators, freezers, stoves, and other major appliances; discarded mattresses, glass, wood, and tires; rubber, copper, brass, iron steel and other old or scrapped ferrous and nonferrous material; and, any other refuse, trash, or discarded material.

The term "junk" as relates to junked vessel means a vessel that is wrecked, dismantled, partially dismantled, inoperative abandoned or discarded, the condition of the vessel being such that it is considered to be a total loss. The term "total loss" as relates to vessel shall be the same as the definition contained within the definition of junked vehicle within this Sec. 14-26; however, tailored to watercraft.

Junkyard. The term "junkyard" means a business established for the purpose of selling used or scrap automobiles, trucks, and/or trailers; old or scrap rope, rags, batteries, paper, rubber, copper, brass, aluminum, iron, steel and other old or scrapped ferrous or nonferrous materials; discarded refrigerators, freezers, stoves, and other appliances; discarded mattresses, glass, wood and tires; and, any other junk or discarded materials. The term also includes salvage yards and recycling centers.

Litter. The term "litter" means "junk," "putrescible and nonputrescible waste," "refuse," and "rubbish" as defined herein and all other waste materials which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, and welfare, including metals and wood materials. Litter shall also be defined to include signs, notices and structures including but not limited to political campaign signs posted, erected or displayed on any surface, pole or stanchion within public rights-of-way of all state and parish roads, highways and streets or on property owned by Terrebonne Parish Consolidated Government.

Littering. The term "littering" means the casting, depositing, dropping, scattering, sweeping or leaving, or causing of any such acts, of any waste matter of any kind, on any private or public water or land premises, in other than appropriate storage containers and properly maintained composting containers. Littering shall also be defined to include the posting, erecting or displaying of signs, notices and structures including but not limited to political campaign signs or on property owned by Terrebonne Parish Consolidated Government or within public rights-of-way of all state and parish roads, highways and streets.

Maintenance of a nuisance. The term "maintenance of a nuisance" means to conduct, carry on, keep or permit to exist on one's property any prohibited activity, condition or nuisance, as defined herein. Failure to abate a nuisance or prohibited activity or condition shall be considered as maintenance of a nuisance.

Major appliance. The term "major appliance" means any refrigerator, freezer, range or machinery; other metal, tin, or other discarded item which is totally inoperable, left unattended on a public street, public property, vacant lot, or any unused portion of any occupied lot, neutral ground, street or sidewalk within the parish for more than forty-eight (48) hours, and is so damaged or dismantled as to be a total loss.

Motor vehicle. The term "motor vehicle" means any vehicle which is intended to be self-propelled and designed to travel along the ground including, but not limited to automobiles, buses, motorbikes, motorcycles, motor scooters, trucks, tractors, go-carts, golf carts, campers, and trailers. The term shall not include vehicles moved by human power or used exclusively upon stationary rails or tracks.

Nonputrescible waste. The term "nonputrescible waste" means waste that is not likely to spoil, decompose or putrefy and become offensive.

Nuisance. The term "nuisance" means any activity, condition, or use of a property which is detrimental to or endangers public safety, health or welfare; produces such material annoyance, inconvenience, and/or discomfort so as to interfere with or disturb another in the peaceful possession of his property or cause injury to the right of another or of the public; is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the vicinity or neighborhood in which such property is located; is in violation of any land use, zoning, or solid waste regulation; or any prohibition, activity or condition declared to be a nuisance in this chapter including condemned and blighted property.

Parish. The term "parish" means the Parish of Terrebonne, or any authorized agent of the Parish of Terrebonne.

Prima facie evidence. The term "prima facie evidence" means evidence adequate to establish a fact or raise a presumption of fact, unless refuted.

Property. The term "property" means any lot, tract or parcel of land, or any portion of ground or other immovable property together with all attachments and improvements and movable thereon, whether occupied or vacant, which is situated within the parish and owned by a person, a corporation, a proprietary party or a legal entity; any building, structure, property, watercraft or movable owned or occupied by any proprietary party or representative thereof Property refers to singular properties as well as multiple properties.

Proprietary party. The term "proprietary party" means an owner, a corporation, a legal entity, lessor, lessee, sublessee, tenant or occupant of any property. A "proprietary party" means a natural and/or juridical person(s).

Putrefy. The term "putrefy" means the process by which organic waste begins to decompose and oxidize thereby resulting in odors.

Putrescible waste. The term "putrescible waste" means all waste which contains organic matter, including dead animals, capable of being decomposed by micro-organisms and of such character and proportion as to be capable of attracting or providing food for birds, and potential disease vectors (such as rodents and flies).

Refuse. The term "refuse" means all putrescible and nonputrescible solid wastes (except body wastes) including garbage, rubbish, ashes, street cleanings, dead animals, junked automobiles, and solid market and industrial wastes.

Representative. The term "representative" means an officer, agent, employee or other representative of a proprietary party.

Rubbish. The term "rubbish" is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Slum conditions means there exists within the parish property's which are unfit for human habitation due to dilapidation; defects increasing the hazards of fires, accidents, or other calamities; lack of ventilation, light, or sanitary facilities, or other conditions rendering the property's unsafe and unsanitary and dangerous or detrimental to health, safety, or morals, or that there are property's therein which are otherwise inimical to the welfare of its residents. The parish may exercise its police powers to remedy or eliminate those conditions.

Subdivision means any tract of land which has been dedicated, accepted, and subdivided into lots, primarily for residential or commercial purposes.

Vessel. The term "vessel" is any tug, towboat, barge, watercraft, ship vessel, equipment, machinery, or any object of any kind or description, whether foreign or domestic, in a sunken or partially sunken state; the term "vessel" is also a junk vessel on property.

Tall grass. The term "tall grass" means grass or weeds and other vegetation more than twelve (12) inches in height when measured perpendicular from the ground. This term does not include ornamental vegetation, landscaping or agricultural plants to the extent these plantings do not create a threat to the safety and welfare of citizens or do not materially interfere with another in the peaceful possession of his property.

Trash. See "Junk".

(Ord. No. 6492, 9-26-01; Ord. No. 6959, § II, 2-9-05; Ord. No. 7534, §§ 1, 2, 9-17-08; Ord. No. 7658, § 1, 6-24-09; Ord. No. 7735, § I, 10-28-09; Ord. No. 7814, § II, 5-12-10; Ord. No. 8126, § 1, 5-23-12)

**State Law reference**— "Junk, wrecked or used automobiles or motor vehicles" defined, R.S. 33:4876(B); definitions relating to the control of junkyards and outdoor advertising near certain highways, R.S. 48:461.1; "junk" defined, R.S. 51:571.

Sec. 14-27. - Council's right to approve plan or project.

Notwithstanding any other ordinances of this chapter, whenever the council has certified that an area is in need of redevelopment or rehabilitation as a result of an act of God, fire, bombing, riot, storm event or other catastrophe, the council may approve a community improvement plan or project with respect to such area without regard to the ordinances or the definitions above in section 14-26.

(Ord. No. 7814, § III, 5-12-10)

Secs. 14-28—14-45. - Reserved.

### ARTICLE III. - LITTERING

Sec. 14-46. - Littering prohibited.

- (a) No person shall dump, throw, or deposit any litter, refuse, trash, tin cans, bottles, garbage, leaves, or any other debris, putrescible or nonputrescible, upon his/her property, property belonging to any other person, or upon or in any public or private roads, on the right-of-way of any public or private highway, public roads, rights-of-way, ditches, drainage channels, surface or subsurface drainage artery, and branches, rivers or waterways, of any kind whatsoever, including, but not limited to, the levees and drainage ways of the Terrebonne Parish drainage system or of any drainage district. The ordinances of this article shall not include properly maintained composting containers.
- (b) (1) Any item including, but not limited to, mail addressed to a specific person or material containing a name and address which is found in the trash, garbage, refuse, or debris thrown or dumped or deposited as stated in subsection (a) above, shall be a prima

facie presumption under this section that the violator thereof is the person or persons identified thereby and traceable thereto and same is admissible in evidence for that purpose; provided, however, that should such person or persons produce proper evidence or testimony that he, she or they have a contract with or can produce receipt from a commercial or other hauler indicating that payment was made thereto to haul the garbage, trash, refuse or litter, then the prima facie presumption herein established shall shift to said commercial or other hauler.

- (2) If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.
- (3)
  - a. The proprietary party or benefiting party of any sign, notice or structure including but not limited to political campaign signs posted, erected or displayed on property owned by Terrebonne Parish Consolidated Government or within public rights-of-way shall be presumed to be the violator of this provision, however, should such proprietary party or benefiting party produce proper evidence or testimony that he has a contract with or can produce receipt from a third party employed to post, erect or display such signs which contract of receipt contains an express provision forbidding installation on the property of Terrebonne Parish Consolidated Government or on public rights-of-way, then the prima facie presumption herein established shall shift to said third party. All signs, notices or structures which constitute litter in accordance with this chapter shall be removed by parish officials and placed in storage.
  - b. In the case of a nuisance warning for a sign, notice or structure which constitutes litter in accordance with this chapter, the warning notice shall state that the sign, notice or structure may be retrieved from the department within thirty (30) days of the date of service of the nuisance warning. In the case of nuisance citations issued for any sign, notice or structure which constitutes litter in accordance with this chapter, the citation, in addition to assessing a penalty and any fees and costs as set out in article XI of this chapter, shall contain information advising the violator that he may retrieve the sign upon payment of the penalty or by ruling of the nuisance abatement panel. In no case shall the department be obligated to store the litter beyond the thirty (30) days allowed for payment of penalties.
  - (c) Violations to the ordinances of this chapter may be remedied in the manner specified in article XI of this chapter, or by the issuance of a summons by a law enforcement officer acting with adequate probable cause.

(Ord. No. 6492, 9-26-01; Ord. No. 6959, § III, 2-9-05)

Secs. 14-47—14-65. - Reserved.

#### ARTICLE IV. - VEGETATION, TRASH, AND JUNK

Sec. 14-66. - Classifications of property.

- (a) The maintenance of all property within the parish regarding the removal of weeds, grass, trash, refuse, junk or other offensive accumulation will fall under one (1) of the following classifications, as defined herein:
  - (1) Agricultural property: Any tract of land devoted to the production for sale, in reasonable commercial quantities, of plants, fruits, vegetables, flowers, ornamental plants, and/or animals, or their products, useful to man; and, agricultural land under contract with a state or federal agency restricting its use for agricultural production.

- (2) Commercial property: Any tract of land primarily used for commercial/business purposes;
- (3) Industrial property: Any tract of land primarily used for industrial purposes;
- (4) Residential property: Any tract of land which has been subdivided into squares/lots, primarily for residential purposes. Residential property must be subclassified as either undeveloped or developed;
  - a. Developed residential property: Any residential property which has been approved as a residential subdivision by the Houma-Terrebonne Regional Planning Commission and/or any subdivided tract of land which is part of a residential subdivision as depicted on a plat of survey properly registered in the conveyance records of the Parish of Terrebonne.
  - b. Undeveloped residential property: Any residential property which is not classified as developed residential property.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 2, 5-23-12)

Sec. 14-67. - Prohibitions.

- (a) No person, firm, or corporation owning or occupying any developed residential property located within the parish shall permit the growth of tall grass or allow the accumulation of trash, refuse, or junk upon the property or upon any sidewalk abutting the property.
- (b) Except as provided for herein, no person, firm, or corporation owning or occupying any undeveloped residential property within the parish, located within areas subdivided into squares/lots shall permit the growth of tall grass and/or weeds within the buffer zone.
  - (1) No person, firm, or corporation owning or occupying any undeveloped residential property, within the parish shall allow the accumulation of trash and junk upon the entirety of the property.
- (c) Except as provided for herein, no person, firm, or corporation owning or occupying any industrial, commercial or agricultural property within the parish shall permit the growth of tall grass and/or weeds within the initial thirty feet (30') of property located around the entire perimeter of the property, measured from the property lines.
  - (1) No person, firm, or corporation owning or occupying any industrial, commercial or agricultural property, within the parish, shall allow the accumulation of trash and junk upon the entirety of the property.
- (d) Railroad rights-of-way. No proprietary party or agent of any railroad right-of-way within the limits of the parish shall permit the growth of tall grass and weeds upon such property, or to permit deleterious or unhealthful accumulations or trash, debris, refuse, or discarded or offensive matter upon such property.
- (e) Exceptions. The ordinances of this article shall not apply to the following:
  - (1) Land area which is actively devoted to the production or cultivation, either for sale or owner/occupant use, of grass for the subsequent processing into hay; except where that land falls within a buffer zone and except where that land is classified as developed residential property;
  - (2) To land which contains and is stocked by forest trees of any size and species for at least the previous three (3) years except where that land falls within a buffer zone; and
  - (3) To land which is classified as wetlands.
  - (4) To properly maintained composting containers.
- (f) Violations to this article shall be abated in the manner specified in article XI of this chapter.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 3, 5-23-12)

Sec. 14-68 There is a buffer zone solely as relates to tall grass as defined in section 14-26.

**State Law reference**— Abandoning or discarding ice boxes or other airtight containers, R.S. 14:324; junkyards prohibited near certain highways, R.S. 48:461.9.

Secs. 14-67—14-95. - Reserved.

#### ARTICLE V. - JUNK AND TRASH IN PUBLIC VIEW

Sec. 14-96. - Prohibition.

- (a) No person, firm, or corporation shall accumulate, store, dispose or allow the accumulation, storage or disposal of junk, trash, garbage, or other offensive accumulation on his property directly adjacent or abutting a residential development or within view of any highway, street, road, alley, or other passageway within the parish.
- (b) No junkyard shall be operated in such a manner so as to allow the accumulated junk in public view, which is either being stored or is being offered for sale, to be located adjacent or abutting a residential development or within the view of any highway, street, road, alley or other passageway in the parish.

(Ord. No. 6492, 9-26-01)

Sec. 14-97. - Remedies.

- (a) Any person, or proprietary party in violation of the ordinances of this article shall be given five (5) days to remove the junk and trash from public view.
- (b) Violations of this article shall be remedied in the manner specified in article XI of this chapter.

(Ord. No. 6492, 9-26-01; Ord. No. 7658, § 2, 6-24-09)

Sec. 14-98—14-124. - Reserved.

#### ARTICLE VI. - VESSELS<sup>[2]</sup>

Footnotes:

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**Editor's note**—Section 4 of Ord. No. 8126, adopted May 23, 2012, renamed Art. VI, Abandoned Sunken Vessels, to read as herein set out.

Sec. 14-125. – Vessel posing immediate danger classified a nuisance.

The existence of a vessel which poses an immediate danger to life or property shall be classified as a nuisance. No person shall keep a vessel in such a state as to create an immediate danger to life or property. Any vessel within one hundred (100) feet of a drainage pump discharge station is presumed to be an immediate danger to life or property.

(Ord. No. 8126, § 5, 5-23-12)

Sec. 14-126. - Abandonment of vessels classified a nuisance.



The existence of an abandoned vessel shall be classified as a nuisance. No person shall abandon any vessel in any waterway within the parish.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 6, 5-23-12)

Sec. 14-127. - Abandonment in water defined.

A vessel in water will be presumed abandoned if it remains in a sunken or partially sunken state for more than sixty (60) days.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 7, 5-23-12)

Sec. 14-128. - Remedy.

(a) The sole remedy to remove vessels in waterways is the adoption of state laws more particularly LARS 34:843. The parish hereby adopts R.S. 34:843, as may be amended, for the purposes of notifying violators of this article and removing from Terrebonne Parish waterways any abandoned junked, sunken vessel or any vessel posing an immediate danger to life or property. Any notices mailed or published in accordance with R.S. 34:843 shall constitute a nuisance warning for the purposes of section 14-304 of this chapter. Removal and disposal of the vessel shall be at the owner's cost in accordance with R.S. 34:843, as may be amended.

(b) For all other vessels not regulated by LARS 34:843, the remedy set forth below in (c) applies .

(c) Failure to comply with the nuisance warning shall result in any or all of the following:

- (1) Further abatement of the violation in the manner specified in article XI of this chapter;
- (2) Referral of the violation to the proper law enforcement authorities for criminal investigation and prosecution;

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 8, 5-23-12)

Sec. 14--129. - Immediate removal authorized.

Notwithstanding any provision of this chapter to the contrary, any vessel located within any waterway in the parish may be salvaged, seized, or moved immediately and without notice if it impedes drainage or interferes with the normal use of the waterway where it is located and/or creates an immediate danger to life or property.

(Ord. No. 8126, § 10, 5-23-12)

Secs. 14-130—14-155. - Reserved.

## ARTICLE VII. – CONDEMNATIONS <sup>[3]</sup>

Footnotes:

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**Editor's note**—Section 11 of Ord. No. 8126, adopted May 23, 2012, renamed Art. VII, Abandoned/Derelict Structures, to read as herein set out.

Sec. 14-156. - Dilapidated and dangerous structures declared a nuisance.

For the purpose of this chapter, the existence of a dilapidated and dangerous structure, as defined in section 14-26, is hereby declared a nuisance; thereby interferes with use or enjoyment of property; endangers personal health, safety, and welfare; is offensive to the senses and is subject to condemnation.

(Ord. No. 6492, 9-26-01; Ord. No. 7735, § II, 10-28-09)

Sec. 14-157. - Policy.

The ordinances of this article are established to protect the health, safety and welfare of the general public from the nuisance created by the existence of dilapidated and dangerous structures. This article does not intend to dictate aesthetic preferences and community standards, but provides minimum criteria for dealing with properties posing a nuisance to the parish. Dilapidated and dangerous structures are hereby regulated purely for their impact on the quality of life, safety, and welfare for the citizens of the parish. Dilapidated and dangerous structures may be condemned and ultimately demolished or removed if they are determined to be in a condition which endangers the public welfare.

(Ord. No. 6492, 9-26-01; Ord. No. 7735, § III, 10-28-09)

Sec. 14-158. - Findings of fact and purpose.

Dilapidated and dangerous buildings and structures pose a threat to life and property in the parish. Buildings, structures, and property may become dilapidated and dangerous by reason of damage by fire, the elements, age, or general deterioration. Dilapidated and dangerous buildings not properly secured at doorways and windows also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients. A dilapidated and dangerous building or property littered with trash and debris may also serve as a place of rodent infestation, thereby creating a health menace to the parish. It is the purpose of this article to provide for the safety, health, protection, and general welfare of persons and property in the parish by requiring such unsafe buildings, structures and property to be repaired or demolished and removed and the property be made safe and secure.

(Ord. No. 6492, 9-26-01; Ord. No. 7735, § IV, 10-28-09)

Sec. 14-159. - Remedy.

(a) Inspection. Upon its own consideration or upon the complaint of any person, the department shall make an on-site inspection of the property and compile a written report citing the specific findings and recommendations in regard to the repair or demolition and removal of the structure. The written report shall be accompanied by a photograph(s) of the structure taken on or near in time to the day and the time of the initial on-site inspection.

(1) If the inspection reveals a grave public emergency where the condition of the building is such as to cause possible immediate loss or damage to person or property, applicable

sections of R.S. 33:4762 et seq., as may be amended, shall apply and the Parish Council may condemn the structure after twenty-four (24) hours' notice as provided by law.

- (2) If the inspection reveals that the building or structure is dilapidated and dangerous, as defined in section 14-26, but poses no grave public emergency, the department shall issue the nuisance warning to the proprietary party in the manner provided for in this article.
- (b) Nuisance warning. The nuisance warning for the existence of a dilapidated or dangerous structure shall contain all applicable information, as specified in article XI, as well as the following:
- (1) A description of the structure;
  - (2) The lot, block, and name of the subdivision on which the violating structure is located;
  - (3) A statement/listing of the particulars found in substantiation of the conditions which warrant the structure to be classified as a dilapidated/dangerous structure as defined in section 14-26; and
  - (4) An order outlining the specific manner in which the building and property can be brought into compliance with the ordinances of this chapter.
- (c) Administration, Remedies, Enforcement. Failure to comply with the nuisance warning shall result in the institution of condemnation proceedings in accordance with R.S. 33:4761 et seq., as may be amended. The enforcement provisions of Article XI do not apply to condemnations.

Sec. 14-160.

Condemned property is declared blighted and the redemption period in Section 14-172 is adopted for such condemned property.

(Ord. No. 7735, § V, 10-28-09; Ord. No. 8126, § 12, 5-23-12)

Secs. 14-161—14-169. - Reserved.

#### ARTICLE VIII- BLIGHTED OR ABANDONED PROPERTY

Sec. 14-170. Blighted or Abandoned Property purpose and declaration as a nuisance

Blighted property or abandoned property as defined in Section 14-26 is hereby declared to be a nuisance. It is the purpose of this article to provide for the safety, health, protection and general welfare of persons and property in the parish by requiring the blighted or abandoned conditions to be addressed, removed and the property or area made safe, healthy and secure.

Sec. 14-171. Violations; Remedies.

Violations of this article shall be remedied in the manner specified in article XI of this Chapter.

Sec. 14-172. Redemption Period.

In accordance with Louisiana Constitution Article VII, Section 25(B), property declared to be blighted or abandoned pursuant to that article shall, where the property is sold at tax sale, be subjected to a redemption period of eighteen months rather than three years.

Sec. 14-173-14-185- Reserved.

## ARTICLE IX - JUNKED, ABANDONED, AND INOPERATIVE VEHICLES<sup>41</sup>

Footnotes:

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**State Law reference**— Abandoned vehicles, R.S. 32:471 et seq.; disposition of abandoned vehicles stored or in possession of dealer or repairman, R.S. 32:525; powers of municipal and parish authorities as to abandoned automobiles, major appliances and other junk, R.S. 33:4876; junkyards and outdoor advertising near certain highways, R.S. 48:461 et seq.; purchases of junk, R.S. 51:571 et seq.

Sec. 14-186. - Nuisance declared; prohibitions; exceptions.

- (a) The presence of any junked, abandoned, and inoperative vehicle(s) on any public or private property occupied, unoccupied, improved, or unimproved within the parish shall be deemed and is hereby declared a nuisance, as defined in section 14-26.
- (b) Prohibition on public property. Except as otherwise permitted herein, no person, firm, or corporation shall cause or maintain any junked, abandoned, and inoperative vehicle(s) on any public property for a period of over forty-eight (48) hours.
- (c) Prohibition on private property. Except as otherwise permitted herein, no person, firm, or corporation shall cause or maintain any junked, abandoned, and inoperative vehicle(s) on any private property for a period of over seven (7) days.
- (d) Exceptions. The ordinances of this section shall not apply to the following:
  - (1) Any junked, abandoned, and inoperative vehicle which is completely enclosed within a building or yard in a manner that is not otherwise visible from the street or other public or private property;
  - (2) Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned drag strips or raceways;
  - (3) Any junked, abandoned, and inoperative vehicle stored in an appropriate storage place or depository maintained at a location where such storage place or depository is authorized/licensed and operating in conformity with the regulatory ordinances and laws of the parish government;
  - (4) Any motor vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.
  - (5) Any antique vehicle as defined in section 14-26 of this chapter, provided that the antique vehicle and its storage area are maintained in such a manner that they do not constitute a health, safety or fire hazard.

(Ord. No. 6492, 9-26-01; Ord. No. 7534, § 3, 9-17-08)

Sec. 14-187. - Declared public property.

The ownership of any abandoned or junked motor vehicle left on any public or private property within the parish, which shall remain on the street, vacant lot, or any unused portion of any occupied lot, neutral ground, or sidewalk within the parish, after unanswered notice in the form of a nuisance warning has been provided, shall be forfeited to the public. Such vehicle shall be considered public property and be removed to a place to be provided by council and held there until the seized vehicle shall have been disposed of in accordance with R.S. 33:4876.

(Ord. No. 6492, 9-26-01)

**State Law reference**— Power of parish governing authorities to enact ordinances regulating the storing or abandoning of motor vehicles, R.S. 33:1236(30)(a)(i); power of municipal and parish governing authorities to enact ordinances regulating or prohibiting the abandonment of motor vehicles on the streets, etc., R.S. 33:4876; similar ordinances, R.S. 33:4876(B).

Sec. 14-188. - Violations; abatement.

Violations to this article shall be remedied in the manner specified in article XI of this chapter.

(Ord. No. 6492, 9-26-01)

Sec. 14-189. - Immediate removal authorized.

Notwithstanding any provision of this chapter to the contrary, any junked, abandoned, and/or inoperative vehicle located on public property may be salvaged, seized, or moved immediately and without notice if the vehicle impedes traffic or interferes in any way the normal use of the public property where it is located.

(Ord. No. 6492, 9-26-01)

**State Law reference**— "Abandoned motor vehicle" defined, R.S. 32:471(1); "junk, wrecked or used automobiles or motor vehicles" defined, R.S. 33:4876(B).

Sec. 14-190. - Removal from public and private property by owner.

Public and private property owners, whether commercial or residential, have the power, as authorized by general law, to cause vehicles to be removed from their property illegally situated thereon.

**State Law reference**— Local authority to take possession of abandoned motor vehicles, R.S. 32:474; towing away and selling derelict or junk vehicles, parish ordinance need not follow statutory procedure, R.S. 32:476(C); disposition of abandoned motor vehicles removed from streets and highways, R.S. 32:476; removal and disposition of junk motor vehicles, major appliances, etc., R.S. 33:4876.

Secs. 14-191—14-199. - Reserved.

## ARTICLE X. - EXCESSIVE NOISES

Sec. 14-200. - Excessive noises declared a nuisance.

For the purpose of this chapter, excessive noises, as defined in section 14-26, are hereby declared a nuisance.

(Ord. No. 6492, 9-26-01)

Sec. 14-201. - Administration , Remedies, and Enforcement

As pertains to excessive noises, the remedy for violations of this article shall be in the manner specified in article XI of this chapter.

Sec. 14-202. - Exceptions.

The ordinances of this section do not apply to the following:

- (a)
  - (1) The use of a horn, alarm, or other warning device which has as its purpose the signaling of unsafe or dangerous situations or to summon the assistance of law enforcement when used for such purpose.
  - (2) The use of carillon or bell emanating from or on a building or property used primarily as a church, synagogue, or school.
  - (3) Any person who has a valid permit authorizing an activity which is likely to produce loud or excessive sound or noise, including an outdoor concert.
- (b) The department of planning and zoning is authorized to issue permits for the use of amplifying equipment or devices in accordance with this section under the following conditions:
  - (1) Only temporary permits may be issued and such permits may not exceed three (3) days.
  - (2) Temporary permits may not be issued consecutively to any person or persons, entity or enterprise, or their agents, so as to defeat the prohibitions set forth in this section. The term "consecutively" is defined to mean at any time within a six-month period.
  - (3) A charge of twenty-five dollars (\$25.00) will be levied for each application for a permit to cover administrative expenses in connection with the issuing of the permit.
  - (4) The parish administration may use discretion in the issuance of any request for a permit and may consider, including, but not limited to, the location of the proposed activity, the nature of the proposed activity, the time of the proposed activity and any and all other factors that concern the health, safety, and welfare of the residents of the Parish of Terrebonne.

Secs. 14-203-14-299- Reserved

(Ord. No. 6492, 9-26-01; Ord. No. 8112, § I(Exh. A), 4-25-12)

ARTICLE XI. - ADMINISTRATION, REMEDIES, AND ENFORCEMENT

Sec. 14-300. - Nuisance abatement shall not abrogate enforcement of state and local crimes.

The civil ordinances of this chapter shall in no way be viewed as an abrogation of state and local criminal enforcement ordinances for littering or any other criminal violations as provided for under Louisiana law, or the ability of a law enforcement officer who in the course of his official duties witnesses an act in violation of the aforementioned law and issues a summons therefore.

(Ord. No. 6492, 9-26-01; Ord. No. 7658, § 3, 6-24-09; Ord. No. 8126, § 13, 5-23-12)

Sec. 14-301. - Civil enforcement of nuisance violations.

For purposes of this chapter, a nuisance violation is the violation of any ordinance of this chapter. The civil ordinances of the abatement of nuisances within the parish shall be governed by the ordinances of this chapter.

(Ord. No. 8126, § 15, 5-23-12)

Sec. 14-302. - Criminal enforcement of nuisance violations.

- (a) No person shall violate any provision of this chapter, fail to comply with civil enforcement of this chapter, or prevent or attempt to prevent by any means or actions any law enforcement officer, any employee of the parish, or any person authorized by the parish from carrying out the ordinances of this chapter.
- (b) The department of planning and zoning may report a violation of this chapter, either orally or in writing, to the proper law enforcement authorities for criminal proceedings against the violator after a warning letter from planning and zoning has been issued.
- (c) Any law enforcement officer, when acting with probable cause, shall issue summons for a violation of this chapter. The summons shall command the violator to appear in the city court of Houma on the next scheduled arraignment date. Upon conviction, the violator shall be deemed guilty of a misdemeanor and may be fined an amount not to exceed five hundred dollars (\$500.00) or imprisoned for a period not to exceed sixty (60) days or both in the discretion of the court.
- (d) No provision of this chapter shall prevent a law enforcement officer, on his own accord, from investigating and issuing summons for a violation of this chapter.

(Ord. No. 8126, § 15, 5-23-12)

Sec. 14-303. - Powers of the department of planning and zoning relative to nuisance abatement.

- (a) The department of planning and zoning shall be responsible for the implementation and subsequent administration of the ordinances of this chapter.
- (b) A complaint may be made upon its own consideration or upon the complaint of any person and the planning and zoning department shall make an on-site inspection of the property and compile a written report citing the specific findings and recommendations in regard to the pertinent nuisance conditions. The written report shall be accompanied by a photograph(s) of the property taken on or near in time to the day and the time of the initial on-site inspection.
- (c) Powers and duties. The department is hereby authorized and directed to administer the ordinances of this chapter. In carrying out its administrative duties, the department shall:
  - (1) Procedures. Establish and administer rules and ordinances for proceedings within the department, together with the maintenance of regular forms for any such proceedings regarding the operations of the department, subject to review and approval of the parish president.
  - (2) Record of actions. Maintain records of all actions taken by the department in the administration of the ordinances of this chapter.
  - (3) Nuisance adjudication hearings. To convene upon the violators request the Nuisance Administrative Hearing Officer to consider and rule upon any defense or justification presented by violators; and, to resist and to oppose any deviations from the ordinances of this chapter, when necessary.
  - (4) Investigations and surveys. Conduct investigations and surveys to determine compliance or noncompliance with the ordinances of this chapter. Incidental to such surveys and investigations, the department head or an authorized representative of the department, may enter into and upon any land or structure to be inspected or examined.
    - a. Right of entry. Whenever it is necessary to make an inspection to administer any of the ordinances of this chapter, the department head, or his duly authorized representative, may enter upon such property, at all reasonable times, to perform his

duties. If such property is occupied, he shall first present proper credentials and request entry. If entry is refused, then the department head, or his duly authorized representative, shall have recourse to every remedy provided by law to secure entry onto the property or entrance into the structure.

- (5) Enforcement. Issue written warnings, citations and orders requiring compliance with the ordinances of this chapter.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-304. - Nuisance warnings; forms; required contents; form of service.

- (a) The nuisance warning shall be the preliminary notice of a violation of this chapter.
- (b) A nuisance warning shall be served personally or by first class mail upon the person, firm corporation, or proprietary party deemed by the department to be violating the ordinances of this chapter; provided, however, that if such person, firm, or corporation is not the proprietary party of the land or the structure in which the violation is deemed to exist or to have occurred, a copy of the citation shall be sent by first class mail to the proprietary party of such land or structure, with the proprietary party to be determined from the tax roll for the preceding year in the office of the tax assessor of the parish. The date of mailing shall be deemed the date of service of any nuisance warning served by first class mail. If the occupant is not so served, or is not present, the nuisance citation shall be served upon the recorded proprietary party of the property. If the registered, recorded or last known proprietary party of the party deemed to be violating the ordinances of this chapter cannot be located, notification shall consist of one (1) publication in the legal notice section of the official journal of the parish.
  - (1) Adequate notice, in the case of nuisance warnings issued for the abatement of a junked, abandoned and inoperative vehicle located on public or private property, should also be served by notice affixed to a prominent place on the vehicle so as to be plainly in the public view.
- (c) The warning shall contain information concerning the nature, date, time, and location of the alleged violation; the corrective action to be taken to abate the nuisance; and, with the following exceptions, the time period not to exceed five (5) days in which the corrective action is to be completed. The warning shall also contain the telephone number and the address of the department.

Exceptions as to content and time for compliance:

- (1) In the case of nuisance warnings issued for the abatement of dilapidated and dangerous structures the time period for compliance shall be a minimum of fifteen (15) days.
- (2) In the case of a nuisance warning issued for the abatement of a junked, abandoned, and inoperative vehicle located on public or private property, the warning shall contain the state vehicle license number, and the make of the vehicle. In those cases where the license plate is not visible or legible, the vehicle identification number, color, or any other identifying characteristics shall be so noted. The notice shall also note the total number of vehicles in violation. The time period for compliance of nuisance warnings issued for the abatement of a junked, abandoned, or inoperative vehicle located on public property shall be a minimum of ten (10) days. The time period for compliance of nuisance warnings issued for the abatement of a junked, abandoned, or inoperative vehicle located on private property shall be a minimum of ten (10) days.
- (3) In the case of nuisance warnings issued for the abatement of any sunken vessel, the registered proprietary party or last known proprietary party of any abandoned sunken vessel shall be notified in accordance with R.S. 34:843, as may be amended, such notice to contain a description of the abandoned sunken vessel, the location of the sunken vessel, a statement that the sunken vessel has been deemed either dangerous or



abandoned, a list of criteria the proprietary party proprietary party must meet in order to comply with this chapter, and a deadline for compliance in accordance with R.S. 34:843.

- (d) The warning shall also contain information advising the person that failure to abate the nuisance in accordance with the issued warning will result in the issuance of a written citation, and the assessment of fines incidental thereto.

Exceptions: In the case of a nuisance warning issued for the removal of a junked, abandoned and inoperative vehicle located on public or private property the warning shall also contain information advising the proprietary party proprietary party that failure to remove the vehicle in accordance with the issued notice of warning will result in the vehicle being declared public property and disposed of by the parish in accordance with R.S. 33:4876.

- (e) Twelve month rule. A nuisance warning shall only be issued to a person, firm, corporation or proprietary party deemed by the department to be violating a certain provision of this chapter once within a single calendar year. Should the same nuisance occur within the same calendar year involving the same violator, a nuisance citation will be issued with fines assessed.

(Ord. No. 6492, 9-26-01; Ord. No. 7735, § VI, 10-28-09; Ord. No. 8126, §§ 14, 16, 5-23-12)

Sec. 14-305. - Nuisance citation forms and contesting the citation.

- (a) The nuisance citation shall be the notice of violation for purposes of this chapter.
- (b) The citation shall contain information concerning the nature, date, time, and location of the alleged violation; the corrective action to be taken to remedy the nuisance, the fine assessed, and the time period, not to exceed five (5) days, in which the fine is to be paid and the corrective action is to be completed.
- (c) The citation shall contain information advising the person charged that he/she may contest the citation by requesting either in person or in writing, within seventy-two (72) hours of service, a hearing before the nuisance administrative hearing officer. The citation shall also provide that failure to appear for a requested hearing before the nuisance administrative hearing officer may carry an additional penalty and shall be considered a prima facie admission of the violation set forth in the nuisance citation.

(Ord. No. 6492, 9-26-01; Ord. No. 7658, § 4, 6-24-09; Ord. No. 7735, § VII, 10-28-09; Ord. No. 8126, §§ 14, 17, 5-23-12)

Sec. 14-306. - Service of nuisance citations.

- (a) Except as provided for in subsection (f) of this section, a nuisance citation shall be served personally or by certified or registered mail upon the person, firm, corporation, or proprietary party deemed by the department to be violating the ordinances of this chapter; provided, however, that if such person, firm, or corporation is not the proprietary party of the land or the structure in which the violation is deemed to exist or to have occurred, a copy of the citation shall be sent by certified or registered mail to the proprietary party of such land or structure, with the proprietary party to be determined from the tax roll for the preceding year in the office of the tax assessor of the parish. The date of personal service or of receipt of mailing shall be deemed the date of service of any citation or order served by certified or registered mail or personally upon the occupant of the property who is present at the time of service. If the occupant is not so served, or is not present, the nuisance citation shall be served upon the recorded proprietary party of the property.
- (b) The original nuisance citation shall bear the name or initials and identification number of the issuing officer, who shall affirm the truth of the facts set forth therein.

- (c) In the event that the nuisance citation is refused by either the occupant or proprietary party of the property on which the nuisance is located, this fact shall be duly noted on the original and all copies of the citation.
- (d) The original and all copies of a citation shall constitute a business record of the parish, and shall constitute prima facie evidence that the citation was issued and that an attempt at service thereof was made in accordance with the ordinances of this chapter.
- (e) Notice to one (1) proprietary party by any method shall be deemed to be notice to all other co-owners.
- (f) Absentee or unknown owners. If the proprietary party of the property is unknown and cannot be ascertained, or if attempts to serve notice of violation and citation by certified or registered mail or personal service have been unsuccessful, notice of the nature and location of the violation may be published on one (1) day in the official journal of the parish and such publication shall be deemed to be notice to the proprietary party of the property upon which the violation is found to occur. Notice to one (1) proprietary party by any method shall be deemed to be notice to all other co-owners.

(Ord. No. 6492, 9-26-01; Ord. No. 7735, § VIII, 10-28-09; Ord. No. 8126, §§ 14, 18, 5-23-12)

Sec. 14-307. - Uncontested disposition of nuisance citations.

- (a) Payment of the civil penalty/fine may be made either in person or by mailing to the agent designated by the parish, provided however, that such payment is made only by money order or cashiers check and made to the order of the parish. Payment of the civil penalty and verification by the department of the abatement of the nuisance violation shall operate as a final disposition of the case.
  - (1) Failure to remedy the nuisance violation in conjunction with the payment of the civil penalty will result in the payment being forfeited and the matter being continued. Conversely, abatement of the nuisance without payment of the civil penalty will result in the matter being continued.
  - (2) If the proprietary party fails or refuses to take action to correct the violation within the delays contained in the citation, parish crews or a parish contractor may enter the property where the violation is occurring and remedy the violation.
  - (3) If the parish or its contractor remedies the violation, the cost of furnishing parish labor and equipment, the amount charged by the contractor, penalties, liens, attorney fees, expenses, expert fees and/or all other expenses incurred in determining the identity of the proprietary party, serving, sending, and providing notice and enforcing the ordinances of this chapter shall be charged directly to the proprietary party.
  - (4) The failure of the proprietary party to pay for the charges incurred within thirty (30) days after invoicing by the parish shall result in the filing of a certified copy of such charges with the recorder of mortgages and the same, when so filed and recorded, shall operate as a lien and privilege in favor of the parish against the property. The charges shall be added by the tax collector of the Parish of Terrebonne to the annual ad valorem tax bill of the property involved.
  - (5) Legal proceedings to enforce the lien and collect the charges may be filed in a court of competent jurisdiction.
  - (6) Upon collection of the charges, the funds shall be credited to the general fund of the parish government.
  - (7) Costs and penalties assessed as a result of any violation of this chapter shall also constitute a legal obligation of the proprietary party which may be collected by ordinary civil process pursuant to law.

- (8) Uncontested and remedied violations shall be subject to a final compliance inspection by the planning and zoning department. Upon request, the planning and zoning department shall issue the Proprietary Party a written notice of compliance.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-308. - Disposition of contested citations.

The contested citation shall be processed in accordance with Sec. 14-313 of this chapter, and such other procedures as may be established and promulgated by the Nuisance Administrative Hearing Officer.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-309. - Creation of the Nuisance Administrative Hearing Officer

- (a) Established. There is hereby created, a Nuisance Administrative Hearing Officer who shall have jurisdiction over contested violations of any civil ordinances of nuisances, as provided for in this chapter. The parish president, shall authorize the Nuisance Administrative Hearing Officer to preside at hearings for the adjudication of contested nuisance violations of this chapter.
  - (1) The Nuisance Administrative Hearing Officer shall be a Terrebonne Parish licensed attorney, not currently serving as a parish attorney, paid a reasonable fee. The Nuisance Administrative Hearing Officer shall be paid an hourly rate not to exceed one hundred twenty-seven (\$127.00) dollars per hour and all approved expenses. The parish shall furnish the Nuisance Administrative Hearing Officer with hearing facilities and a court reporter and shall maintain all records of contested hearings.
- (b) Functions, powers, and duties. The Nuisance Administrative Hearing Officer shall serve the following functions, powers, and duties:
  - (1) To accept admissions to, and to hear and determine contests of nuisance violations under the ordinances of this chapter;
  - (2) To issue subpoenas to compel the attendance of a person to give testimony at hearings and to compel the production of relevant books, papers, and other things. Service of subpoenas shall be by City Marshall or private process server. Service shall be personal or domiciliary.
  - (3) To adjudicate alleged nuisance violations issued under this chapter.
  - (4) To compile and maintain complete and accurate records relating to all citations, violations and/or dispositions of nuisance violations and citations; and, upon request, to prepare complete and accurate transcripts of all hearings conducted and to furnish such transcripts to the violator, at said violators expense and turnover such records and transcripts to the planning and zoning department.
  - (5) To determine whether the contested nuisance should be removed, discarded, buffered, towed, immobilized, or any other method deemed appropriate in the abatement of the violation.
  - (6) To determine all remedies and enforcement for nuisance violations, including the remedies set forth in 14-307 and to assess and collect administrative costs and the costs incurred in the remedy of the nuisance violation.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-310. - Citation as legal demand and prima facie evidence.

The original nuisance citation or any true copy thereof shall constitute an ordinary business record of the parish, and prima facie evidence of the facts contained therein.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-311. - Responsibility of proprietary party.

The proprietary party and the occupant of the property on which the nuisance is located, when not the same, shall be solidarity liable to the parish for the violation(s) and all remedies available in Chapter 14 Article XI, unless the proprietary party can prove that the nuisance occurred without his consent, expressed or implied. A proprietary party who pays any nuisance violation fines, remedy costs, or administrative fees pursuant to this chapter, shall have the right to recover the same from the occupant.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, §§ 14, 19, 5-23-12)

Sec. 14-312. - Adjudication based on submissions.

(a) In cases where a person charged with a nuisance violation provides written good cause for not attending a hearing, either personally or through a representative, the nuisance administrative hearing officer may adjudicate the matter on the same date and time based on the following submissions of the person charged with a nuisance:

(1) Letters, memoranda, affidavits, photographs, or other documentary materials shall be admissible as evidence for the purposes of adjudications. The nuisance administrative hearing officer may exclude from consideration any material which is not relevant to the adjudication of the alleged violation.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-313. - Hearings for disposition of contested nuisance citations.

(a) Every hearing for the adjudication of a contested charge of nuisance violation under the authority of this chapter shall be held before the Nuisance Administrative Hearing Officer.

(b) The parish shall be represented by the parish attorney or his designee and the parish shall have the burden of proving the violation by a preponderance of evidence; however, proof that a particular nuisance, described in the nuisance citation, was in violation of the ordinances of this chapter, together with proof that the person was, at the time of the violation, either the proprietary party of the property on which the nuisance was occurring or was the occupant of the property on which the nuisance was occurring shall constitute a prima facie presumption that the proprietary party or occupant, whichever the case may be, was the party responsible for the violation. Proof as to the party responsible for the existence of the nuisance shall be as follows:

(1) Said proof of ownership that the person was, at the time of the violation, the proprietary party of the property on which the nuisance was occurring shall be in the form of a written statement from the assessor's office.

(2) In the case of the violation occurring on property on which the responsible party is an occupant of the property and not the proprietary party of same, said proof shall be in the form of either the signature of the occupant on the citation, or a written statement from

the proprietary party of the property attesting to the fact that, as owner, the responsibility for occurrence of the violation was the occupant of the property.

- (3) The aforementioned proof shall constitute an ordinary business record of the parish.
- (c) The duly authorized person who issued the citation shall not be required to appear at the hearing, unless the person charged with a violation herein has denied that the offense occurred; or the Nuisance Administrative Hearing Officer determines that the authorized person's presence is required. The Nuisance Administrative Hearing Officer may grant one (1) postponement, if the authorized person is unavailable at the time of the hearing.
- (d) Prior to holding a nuisance administrative hearing the Nuisance Administrative Hearing Officer shall notify the Proprietary Party/ Violator at least fifteen days in advance of the date that such a hearing is scheduled. This notification shall state the time, date and location of the hearing, the alleged violations, and it shall be sent by certified or registered United States mail to the Proprietary Party or personally served on the Proprietary Party at the address as listed in the Parish assessor's office. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the United States Post Office shall be considered as having fulfilled the notification requirement. Failure of any Proprietary Party charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation. Any order compelling the attendance of witnesses or the production of documents may be enforced in the 32<sup>nd</sup> Judicial District Court.
- (e) Prior to holding a nuisance administrative hearing for the determination of blight or abandonment of property, the Nuisance Administrative Hearing Officer shall notify the property owner and each mortgagee of record in the parish mortgage records, at least thirty days in advance of the date of the administrative hearing. The notification shall state the time, date, and location of the hearing, the location of the subject property, and an explanation that the hearing is for the purpose of contesting a determination that the subject property is blighted or abandoned. The notice shall be sent by certified or registered United States mail or personally served on the property owner at the address listed in the parish assessor's office and on each mortgagee of record at the address provided in the recorded mortgage.
- (f) Testimony by any person shall be taken under oath and in accordance with the rules of evidence of the Administrative Procedure Act. . The Proprietary Person charged with the nuisance ordinance violation may present any relevant evidence and testimony at such hearing and may be represented by an attorney at law. However, the Proprietary Party's physical presence shall not be required at the hearing if documentary evidence, duly verified by such person is submitted to the Nuisance Administrative Hearing Officer prior to the date of the hearing.
- (g) At the conclusion of the hearing, the Nuisance Administrative Hearing Officer shall render a written decision within forty-eight (48) hours, either finding the person cited liable, ordering the abatement of the nuisance within a specified time period, and assessing the fine and administrative costs or a portion thereof; or declaring the violation unproven or invalid.
- (h) Failure to comply. If the proprietary party fails or refuses to take the corrective action ordered by the Nuisance Administrative Hearing Officer within the time period specified, the Nuisance Administrative Hearing Officer shall authorize parish crews or a parish contractor to enter the property where the violation is occurring and remedy the violation.
  - (1) If the parish or its contractor remedies the violation, the fines, the cost of furnishing parish labor and equipment, the amount charged by the contractor, penalties, liens, attorney fees, expenses, expert fees and all other expenses incurred in determining the identity of the proprietary party, serving, sending, and providing notice and enforcing the ordinances of this chapter shall be charged directly to the proprietary party.
  - (2) The failure of the proprietary party to pay for the charges incurred within thirty (30) days after invoicing by the parish shall result in the filing of a certified copy of such charges with the recorder of mortgages and the same, when so filed and recorded, shall operate as a lien and privilege in favor of the parish against the property. The charges

shall be added by the tax collector of the Parish of Terrebonne to the annual ad valorem tax bill of the property involved.

- (3) Legal proceedings to enforce the lien and collect the charges may be filed in a court of competent jurisdiction.
- (4) All costs, fines, attorney's fees, contractor cost and penalties assessed herein and as a result of any violation of this chapter shall also constitute a legal obligation of the person violating this chapter which may be collected by ordinary civil process pursuant to law.
- (5) Upon collection of the charges, the funds shall be credited to the general fund of the parish government.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-314. - Failure to appear at hearing; consequences.

Failure to appear at a hearing in person or by submission shall constitute an admission of liability of the nuisance violation and shall subject the person charged with the violation herein to the appropriate fines and abatement costs assessed by the Nuisance Administrative Hearing Officer in the remedying of the violation. Failure to appear after requesting a hearing may carry an additional penalty to be determined by the Nuisance Administrative Hearing Officer.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

Sec. 14-315. - Schedule of fines; costs administrative penalties and remedy costs.

- (a) Schedule of fines. The following rates for nuisance violation fines within the areas of Terrebonne Parish under this chapter are as follows:
  - (1) For the first violation: .....\$250.00
  - (2) For a second violation within the same calendar year: .....\$500.00
  - (3) For a third and subsequent violations within the same calendar year, criminal enforcement and /or civil fines up to five thousand dollars (\$5,000.00) shall be utilized.
- (b) Administrative fees. A schedule of administrative fees shall be established by the Nuisance Administrative Hearing Officer, subject to the approval of the chief administrative officer and with the concurrence of a majority of the parish council. Administrative fees shall include but not be limited to the costs associated in the investigation of property to determine if a nuisance is occurring, determining ownership, processing the notice and citation, serving, sending, and providing notice to the owner, attendance at hearing(s), cost of the court reporter, legal fees associated with the nuisance enforcement and any other administrative tasks required in the proper enforcement of the ordinances of this chapter. The losing party shall bear all costs of the Nuisance Administrative Hearing Officer.
- (c) Remedy costs. Remedy costs are those direct costs incurred by either parish personnel or a parish contractor in the elimination and disposal of a nuisance. Remedy costs, when incurred, shall be assessed against the nuisance ordinance violator in the manner provided for herein.

(Ord. No. 6492, 9-26-01; Ord. No. 7658, § 5, 6-24-09; Ord. No. 8126, §§ 14, 20, 5-23-12)

Sec. 14-316. - Judicial review.

- (a) The written decision of the Nuisance Administrative Hearing Officer shall be the final decision by the parish. Any person or persons, aggrieved by any decision may file a petition

for judicial review to the civil district court of the parish, within five (5) days after the date of entry of the decision. Absent an injunctive order or temporary restraining order from the reviewing court, enforcement of the decision of the nuisance administrative hearing officer shall commence as specified by the nuisance administrative hearing officer.

- (b) The judicial review by Terrebonne Parish civil district court shall not be de novo but solely a review of the record.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

#### Sec. 14-317. - Method of notice.

- (a) Any notice permitted or required to be given by the Nuisance Administrative Hearing Officer in the proper conduct of its business, as specified herein, shall be considered given when mailed by United States mail, postage prepaid, to the proprietary party or occupant at the address appearing in the official property ownership records of the parish assessor's office or the clerk of court of the parish.

(1) Notice to one (1) proprietary party shall serve as notice to all other proprietary parties.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

#### Sec. 14-318. - Disposition of monetary judgment.

- (a) Any judgment collected pursuant to operations of the Nuisance Administrative Hearing Officer shall be paid at planning and zoning department by certified cashiers check.
- (b) The judgment rendered by the Nuisance Administrative Hearing Officer shall be recorded with the Clerk of Court of Terrebonne Parish.

(Ord. No. 6492, 9-26-01; Ord. No. 8126, § 14, 5-23-12)

#### Sec. 14-319. - Immediate danger or hazard.

With the exception of condemnations due to grave public emergencies, notwithstanding anything contained herein to the contrary, the parish may take immediate steps to remove any and all nuisances, as defined herein, located on or upon any property within the parish where there is presented to the parish evidence of the presence of immediate danger or hazard to the health, safety and welfare of adjoining property, or to the citizens of the parish. All other ordinances as contained in this article, not contrary to this section, shall be applicable, including levying of the fine and assessment of costs in such case.

#### Sec. 14-320- Barking dog affidavit

For purposes of prime face evidence of nuisance associated with barking dogs, notwithstanding anything to the contrary herein, sufficient proof may be made in the form of an affidavit by any complaining proprietary property attesting to the fact that the barking dog meets the definition contained at Sec. 14-26. The affidavit shall create a presumption that the complaint meets the criteria of a nuisance for a barking dog; however, the presumption is rebuttable.

(Ord. No. 6492, 9-26-01; Ord. No. 7735, § IX, 10-28-09; Ord. No. 8126, § 14, 5-23-12)

#### Sec. 14-321- Exclusion of condemnation

Article XI does not apply to condemnations proceedings unless used to determine blighted property.

Secs. 14-322-399. - Reserved.

## ARTICLE XII. - JUSTICE OF THE PEACE COURTS<sup>[5]</sup>

Footnotes:

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**Editor's note**—Ord. No. 6772, § I, adopted July 9, 2003, added ch. 14, art. XI, §§ 14-30—14-36. In keeping with the numbering style of the Code these sections have been redesignated as §§ 14-230—14-236.

Sec. 14-400. - Purpose.

The Terrebonne Parish Council wishes to enhance the quality of life in this community and to do everything possible to prohibit the unlawful disposal and accumulation of litter in the parish.

(Ord. No. 6772, § I, 7-9-03)

Sec. 14-401. - Authority.

Pursuant to Senate Bill 457 of the 2003 Regular Session of the Louisiana Legislature (Act No. \_\_), the Terrebonne Parish Council wishes to grant jurisdiction to justice of the peace courts to have jurisdiction over certain objects that have been removed, abandoned or disposed of, to provide for appellate procedure for such actions, to provide for fines and penalties and to provide for related matters.

(Ord. No. 6772, § I, 7-9-03)

Sec. 14-402. - Definitions.

(See Section 14-26 of this Code)

(Ord. No. 6772, § I, 7-9-03)

Sec. 14-403. - Authority.

Justices of the Peace in Terrebonne Parish shall have concurrent jurisdiction over the violations for removal, disposition or abandonment of objects, of a value not exceed the civil jurisdictional limits of the justice of the peace court, that occur anywhere in the parish in which the court is situated, which are prohibited by R.S. 34:843 and/or chapter 14, "nuisance abatement" of the Parish Code that provides for the violation of any such ordinance may be in a justice of the peace court. In addition, a constable may issue summons and serve subpoenas for such violations occurring anywhere in the parish in which his court is situated.

(Ord. No. 6772, § I, 7-9-03)

Sec. 14-404. - Penalty.

However, the penalty that may be imposed by a justice of the peace in connection with a removal, disposition, or abandonment violation prohibited by R.S. 34:843, shall be limited to the range of fines and penalties allowed by section 14-203(d) of the Parish Code [as an alternative to the civil enforcement ordinances of this chapter, if any person, firm or corporation violates any



provision of this chapter or by any means or actions prevents or attempts to prevent any employee of, or person authorized by the parish from carrying out the ordinances of this chapter, a report to that effect signed by the appropriate law enforcement agent acting with adequate probable cause and a summons shall be issued to the proprietary party of the property. The summons shall command the proprietary party to appear in the city court of Houma on the next scheduled arraignment date. Upon conviction he shall be deemed guilty of a misdemeanor and may be fined an amount not to exceed five hundred dollars (\$500.00) or imprisoned for a period not to exceed sixty (60) days or both in the discretion of the court].

(Ord. No. 6772, § I, 7-9-03)

Sec. 14-405. - Appeal.

Persons found liable in a justice of the peace court for litter, removal, disposition or abandonment violation pursuant to section 14-203(c), shall have the right of direct appeal to the 32nd Judicial District Court by trial de novo for the Parish of Terrebonne. The appeal must be filed within ten (10) days of the date of the judgment and notice of the appeal must be given within the ten-day period to the justice of the peace who adjudicated the matter, the district court to which the matter is being appealed, and the district attorney for Terrebonne Parish. The appeal from a decision of the district court shall be the same as provide by law for appeals of civil matters adjudicated by a district court. If the judgment is sustained on appeal, the defendant may be assessed additional court costs by the district court as authorized by law.

(Ord. No. 6772, § I, 7-9-03)

Sec. 14-406. - Prosecutor.

The constable of the justice of the peace court or his deputy shall act as prosecutor when called upon to do so by the justices of the peace when the justice of the peace exercises his jurisdiction to adjudicate removal, disposition, or abandonment violations prohibited by R.S. 34:843. In those cases, where the constable has issued the citation or summons or has made the arrest or appears as a witness against the accused, the constable shall designate the deputy constable to prosecute the matter. If there is no deputy constable, then the justice of the peace may appoint a special deputy constable to prosecute the case or may authorize a constable from another ward in the parish to prosecute the matter.

(Ord. No. 6772, § I, 7-9-03)

The Chairman recognized the public for comments on the following:

- B. A proposed ordinance amending the 2016 Budget of the Terrebonne Parish Consolidated Government so as to adjust the 2016 adopted beginning Fund Balances and the Net Positions to actual as per the 2015 Audited Financial Statements.

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

Mr. D. J. Guidry moved, seconded by Mr. G. Michel, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Mr. G. Michel  
SECONDED BY: Mr. S. Trosclair

### **ORDINANCE NO. 8748**

AN ORDINANCE AMENDING THE 2016 BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT SO AS TO ADJUST THE 2016 ADOPTED BEGINNING FUND BALANCES AND THE NET POSITIONS TO ACTUAL AS PER THE 2015 AUDITED FINANCIAL STATEMENTS.

#### **SECTION I**

**WHEREAS**, the Parish Finance Department estimates the beginning fund balances and net positions of the next year for the adopted budget prior to the end of the current year, and

**WHEREAS**, the Parish Finance Department completes the Audited Comprehensive Financial Statements no later than June 30<sup>th</sup> of each year for the prior year.

**BE IT ORDAINED**, that the Parish Council on the behalf of the Terrebonne Parish Consolidated Government, adopt the actual ending fund balances and net positions of 2015 as per the audited Comprehensive Financial Statements. (Attachment A)

#### **SECTION II**

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

#### **SECTION III**

This ordinance shall become effective upon approval by the Parish President or as otherwise provided in Section 2-13(b) of the Home Rule Charter for a Consolidated Government 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: S. Dryden, C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and G. Michel.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

<b>ATTACHMENT A - FUND BALANCE - NET POSITIONS</b>			
	Adopted	Adjustment	Actual
Fund	Beginning	Increase	Beginning
	Fund Balance	(Decrease)	Fund Balance
General Fund	8,663,903	1,987,007	10,650,910
Dedicated Emergency Fund	2,684,857	2,535	2,687,392
Terr. Juvenile Det.	345,337	444,066	789,403
Parish Prisoners Fund	131,969	190,221	322,190
Public Safety Fund	2,151,411	1,799,122	3,950,533
Non-District Recreation	116,241	155,546	271,787
Local Law Enforcement Grant	4,751	1	4,752
Marshall's Fund	272,877	26,917	299,794
G.I.S. Mapping Systems	206,621	(13)	206,608
HMGP 4080 Isaac	-	(43)	(43)
Coastal Restore/Preservation	142,761	30,857	173,618
OJP - LCLE	7,029	(279)	6,750
Hazardous Mitigation	588,269	(10,689)	577,580
Moderate Rehab SRO	59,054	2,058	61,112
Section 8 Vouchers	94,948	69,115	164,063
HUD Assist Portability	13,828	(13,828)	
Dept. of Education	17,874	0	17,874
Dept. of Transportation	-	(66)	(66)
FEMA - DHAP	131,408	0	131,408
Housing/Urban Dev. Grant	169,348	(49,208)	120,140
Severe Repetitive Loss	77,900	(54,690)	23,210
Dept of Labor CSBG Grant	3	0	3
LHFA LIHEAP Program	130,489	14,075	144,564
HMGP Gustav	(1)	773,614	773,613
DHAP - Ike	1,513,445	(241)	1,513,204
FTA-ARRA	1	0	1
Terre. Homeless Shelter	16,538	(5,414)	11,124
HOME Grant Fund	320,391	(56,078)	264,313
FTA Grant	1,235,415	344,806	1,580,221
FTA - City of Thibodaux	-	4	4
Head Start	95,454	(53,068)	42,386
Federal Hwy Administration	25,683	(96)	25,587
HUD CDBG Recovery	96,672	(33,973)	62,699
Parish Transportation Fund	600,095	470,798	1,070,893
Road & Bridge Fund	1,751,025	1,172,379	2,923,404
Drainage Tax Fund	2,880,138	2,736,020	5,616,158
Sales Tax Revenue Fund	2,945,528	42,133	2,987,661
Road District #6 - O&M	37,518	184,107	221,625
Road Lighting District #1	37,150	287,984	325,134
Road Lighting District #2	270,006	(3,660)	266,346
Road Lighting District #3A	286,930	40,685	327,615
Road Lighting District #4	217,214	12,897	230,111
Road Lighting District #5	169,841	8,144	177,985
Road Lighting District #6	247,258	13,740	260,998
Road Lighting District #7	277,322	2,779	280,101
Road Lighting District #8	88,377	342	88,719

<b>ATTACHMENT A - FUND BALANCE - NET POSITIONS</b>				
	Adopted	Adjustment	Actual	
	Beginning	Increase	Beginning	
Fund	Fund Balance	(Decrease)	Fund Balance	
Road Lighting District #9	123,976	4,929	128,905	
Road Lighting District #10	99,395	1,454	100,849	
Health Unit Fund	1,603,609	294,469	1,898,078	
Terrebonne - ARC	138,616	3,926	142,542	
Parishwide Recreation Fund	709,448	(22,053)	687,395	
Mental Health Unit	675,415	91,116	766,531	
Coastal Restore - Bonds	14	130,065	130,079	
Terrebonne Levee & Cons. Distr.	2,705,618	10,788,774	13,494,392	
Bayou Country Sports Park	452,118	1,540,438	1,992,556	
Criminal Court Fund	767	32	799	
Bond Trust Fund	3,145	(3,145)	-	
Public Safety Pension & Relief	-	2,160	2,160	
Fairlane Sewer B/S	184			
Road & Bridge Bond Sinking	-	16,304	16,304	
Capital Improv Bond Res	3,537,280	42,112	3,579,392	
Capital Improv Bond Sinking	3,120,236	78,425	3,198,661	
2008 Sewer Bond S/F	-	12,024	12,024	
P/W Drainage Bond Sinking	-	532	532	
2011 Levee Sinking Fund	1,608,312	(33,582)	1,574,730	
2011 Levee Reserve Fund	3,636,419	67,437	3,703,856	
S/F Aragon Road Paving Asmt.	14,322	270	14,592	
S/F Paving Asmt 2/1/80	1,731	0	1,731	
S/F Sewerage Asmt 7/1/80	4,875	0	4,875	
S/F Norman Sewage Assmt	3,491	0	3,491	
Bayou Country Sports Park	53,500	31	53,531	
S/F Pav Asmt 3 of 85	4,248	0	4,248	
S/F Plantation Gardens	13	0	13	
S/F Roberta Grove Paving	1,410	0	1,410	
Lazy Acres/Allemand S/F	9,714	(6)	9,708	
Kramer/Maplewood S/F	23,572	375	23,947	
Royce St. Sewerage	894	0	894	
Bayouside Drive Paving	1,756	16	1,772	
2015 GO Refund Sinking	2,267,437	(22,216)	2,245,221	
City Court Building Fund	13,361	312,226	325,587	
Fd 241 HUD CDBG Rec Cons	5	18	23	
P/W Drainage Construction Fund	21,942	15,731,938	15,753,880	
P/W Sewerage Construction Fund	84,515	1,991,555	2,076,070	
Capital Projects Control Fund	446,351	21,517,329	21,963,680	
Road Construction Fund	267,653	15,962,146	16,229,799	
Civic Center Admin. Bldg	34,670	699,086	733,756	
1-1B Construction	5,855	818,307	824,162	
2005 Public Improvement Constr	-	248,700	248,700	
2005 Sales Tax Construction	114,063	5,352,443	5,466,506	
Sanitation Construction Fund	61,305	169,680	230,985	
1998 Public Impr. Construction	8,557	408,950	417,507	

	Adopted	Adjustment	Actual
	Beginning	Increase	Beginning
Fund	Net Assets	Decrease	Net Assets
Utilities System Fund	29,782,174	8,998,844	38,781,018
Utilities Revenue Fund	49,712,180	(4,657,640)	45,054,540
Utility Bond Sinking	-	0	
Capital Adds/Contingency	1,731,862	(2,490,129)	(758,267)
Utility Bond Reserve	-	0	
G.I.S. Mapping System	154,158	47,195	201,353
Sewerage Fund	70,017,411	(1,665,616)	68,351,795
Sewer Capital R&R Fd	8,526,555	(141,145)	8,385,410
2010 Sewer Bond Sinking	(12,108,785)	190,747	(11,918,038)
2010 Sewer Bond Reserve	469,291	457	469,748
Sewer Bonds	-	12,513,938	12,513,938
Sewer Bonds	(1,014,402)	1,014,402	
Sanitation Fund	32,274,301	(6,993,618)	25,280,683
Landfill Closure	188,311	17,162	205,473
Insurance Control Fund	2,918,921	1,812,947	4,731,868
Group Insurance Fund	2,290,957	(465,423)	1,825,534
Human Resource Fund	694,600	145,300	839,900
Centralized Purchasing Fund	130,633	48,322	178,955
Civic Center O&M	11,262,379	10,970	11,273,349
Information Systems Fd	247,287	76,510	323,797
Centralized Fleet Maint.	133,716	99,447	233,163

The Chairman recognized the public for comments on the following:

- C. A proposed ordinance to amend the 2016 Adopted Operating Budget and 5-Year Capital Outlay Budget of the Terrebonne Parish Consolidated Government for the following items and to provide for related matters:
  - I. Houma Police Dept. - LA Commission on Law Enforcement Grant, \$43,244
  - II. Houma fire Department, \$10,294
  - III. Government tower Wind Hardening Project, \$512,557
  - IV. Animal Shelter, \$245
  - V. Victor LeBoeuf Street and vicinity Waterline Replacement, \$103,800
  - VI. Human Resources, \$12,401
  - VII. Budget Adjustment for Sales Tax Revenue":
    - a. General Fund, (\$438,498)
    - b. Public Safety Fund, (\$431,837)
    - c. Road and Bridge Fund (\$328,612)
    - d. Drainage Tax Fund (\$328,612)
    - e. Sales Tax Fund, (\$328,612) Terrebonne Parish Levee and Conservation District, (\$328,612).

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

Mr. D. W. Guidry Sr. moved, seconded by Ms. C. Duplantis-Prather, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry Sr.  
THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Ms. C. Duplantis-Prather

SECONDED BY: Mr. D. W. Guidry, Sr.

### **ORDINANCE NO. 8749**

AN ORDINANCE TO AMEND THE 2016 ADOPTED OPERATING BUDGET AND 5-YEAR CAPITAL OUTLAY BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT FOR THE FOLLOWING ITEMS AND TO PROVIDE FOR RELATED MATTERS.

- I.** HOUMA POLICE DEPT - LA COMMISSION ON LAW ENFORCEMENT GRANT, \$43,244
- II.** HOUMA FIRE DEPARTMENT, \$10,294
- III.** GOVERNMENT TOWER WIND HARDENING PROJECT, \$512,557
- IV.** ANIMAL SHELTER, \$245
- V.** VICTOR LEOEUF STREET AND VICINITY WATERLINE REPLACEMENT, \$103,800
- VI.** HUMAN RESOURCES, \$12,401
- VII.** BUDGET ADJUSTMENT FOR SALES TAX REVENUE:
  - A.** GENERAL FUND, (\$438,498)
  - B.** PUBLIC SAFETY FUND, (\$431,837)
  - C.** ROAD & BRIDGE FUND (\$328,612)
  - D.** DRAINAGE TAX FUND (\$328,612)
  - E.** SALES TAX FUND, (\$328,612)
  - F.** TERREBONNE PARISH LEVEE & CONSERVATION DISTRICT, (\$328,612)

### **SECTION I**

**WHEREAS**, the Houma Police Department of the Terrebonne Parish Consolidated Government has been approved to implement an application for a grant from the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice Fiscal Year 2015-16 CVA Fund (2877) in the amount of Forty Three Thousand Two Hundred and Forty Four dollars (\$43,244.00) for the Terrebonne Parish Consolidated Government, and

**WHEREAS**, The Fiscal Year 2015-16 CVA Fund will provide grant funding to improve the effectiveness of our Police Officers by providing them with overtime to outreach towards victims,

**WHEREAS**, the Grant will fund \$34,595 and the Parish's share will be \$8,649 for a total of \$43,244.

**NOW, THEREFORE BE IT ORDAINED**, by the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget be amended for the grant from the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice. (Attachment A)

### **SECTION II**

**WHEREAS**, the Houma Fire Department has received \$10,294 as a reimbursement from the Insurance Provider for the repairs to the 2004 Ferrara Pumper, and

**WHEREAS**, the funds will replenish the Paint/Body Repairs account.

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget be amended to recognize the reimbursement for the pumper with the Houma Fire Department. (Attachment B)

### **SECTION III**

**WHEREAS**, the Government Tower Wind Hardening Project 1786-1089-0002, which is funded from the Hazard Mitigation Grant Program under FEMA, has been approved in the amount of \$2,050,225 (\$1,537,668 75% federal share, \$512,557 25% non-federal) The 25% non-federal share will be funded using the Global Match-25%, and

**WHEREAS**, FEMA agrees to use the Global-Match-25% from the Ashland North project that FEMA previously approved to pay 75% but TPCG paid 100%.

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Budget of the Terrebonne Parish Consolidated Government be amended for the Government Tower Wind Hardening Project. (Attachment C)

### **SECTION IV**

**WHEREAS**, the Animal Shelter received \$245 reimbursement for damages to their fence, and

**WHEREAS**, the reimbursement will be reflected in the Building Repairs account for the fence repairs.

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget be amended to recognize the reimbursement for fence damage to the Animal Shelter. (Attachment D)

### **SECTION V**

**WHEREAS**, the Parish received a grant from the State Local Government Assistance Program for the Victor LeBouef Street and vicinity Waterline Improvements for \$103,800, and

b, the grant will replace 2 ¼ inch cast iron 50 year old waterlines, and

**WHEREAS**, Terrebonne Consolidated Waterworks will be performing the improvements and the Parish will reimburse for work done.

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget and 5-year Capital Outlay Budget be amended for the Waterline Improvements. (Attachment E)

**SECTION VI**

**WHEREAS**, the Terrebonne Parish Consolidated Government (TPCG) has agreed to facilitate work based learning experiences for high school students with disabilities by affording them the opportunity for those qualified to gain work experience at TPCG at Louisiana Rehabilitation Services (LRS) expense, and

**WHEREAS**, LRS will provide the funding of \$12,401 for the program.

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget be amended to recognize the funding from LRS. (Attachment F)

**SECTION VII**

**WHEREAS**, the Parish is required to recognize projected revenue which has a variance of 5% or less than the current budget, and

**WHEREAS**, the Sales Tax Revenue projections in various funds are more than 5% less than budget:

- GENERAL FUND, (\$438,498)
- PUBLIC SAFETY FUND, (\$431,837)
- ROAD & BRIDGE FUND, (\$328,612)
- DRAINAGE TAX FUND, (\$328,612)
  
- SALES TAX FUND, (\$328,612)
- TERREBONNE PARISH LEVEE & CONSERVATION DISTRICT, (\$328,612)

**NOW, THEREFORE BE IT ORDAINED**, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget be amended to recognize the necessary adjustment for the Sales Tax Revenue Accounts listed above. (Attachment G)

**SECTION VIII**

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 IX**

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: S. Dryden, C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and G. Michel.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.



ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

**ATTACHMENT A - Police Department**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
LCLE VAWA Grant	-	(34,595)	(34,595)
Public Safety Fund	-	(8,649)	(8,649)
Overtime Pay	-	43,244	43,244
Crime Victims Assistance	-	(43,244)	(43,244)
OJP-LCLE	-	8,649	8,649
Fund Balance (increase)	N/A	34,595	N/A

**ATTACHMENT B - Houma Fire Department**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Compensation Property Damage	(25,000)	(10,294)	(35,294)
Paint/Body Repairs	5,000	10,294	15,294

**ATTACHMENT C - Government Tower Wind Hardening Project**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
1786-02 Gov Tower Wind Harden	1,596,833	512,557	2,109,390
1786-002 FEMA	(2,139,332)	(512,557)	(2,651,889)

**ATTACHMENT D - Animal Shelter**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Compensation Property Damage	-	(245)	(245)
Building Repairs	500	245	745

**ATTACHMENT E - Victor LeBoeuf Street and vicinity Waterline**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Montegut (Waterworks)	-	103,800	103,800
LGAP Montegut (Waterworks)	-	(103,800)	(103,800)

**ATTACHMENT F - Human Resources**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Salary Reimbursements	50,000	12,401	62,401
Miscellaneous Reimbursements	-	(12,401)	(12,401)

**ATTACHMENT G - Sales Tax Revenue**

**ATTACHMENT G - Sales Tax Revenue**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
One-third Cent Sales Tax	(7,308,292)	438,498	(6,869,794)
Fund Balance (Decrease)	N/A	(438,498)	N/A
One-third Cent Sales Tax	(7,197,292)	431,837	(6,765,455)
Fund Balance (Decrease)	N/A	(431,837)	N/A
One-Quarter Cent Sales Tax	(5,476,863)	328,612	(5,148,251)
Fund Balance (Decrease)	N/A	(328,612)	N/A
One-Quarter Cent Sales Tax	(5,476,865)	328,612	(5,148,253)
Fund Balance (Decrease)	N/A	(328,612)	N/A
One-Quarter Cent Sales Tax	(5,476,863)	328,612	(5,148,251)
Fund Balance (Decrease)	N/A	(328,612)	N/A
One-Quarter Cent Sales Tax	(5,476,863)	328,612	(5,148,251)
Fund Balance (Decrease)	N/A	(328,612)	N/A

The Chairman recognized the public for comments on the following:

- D. An ordinance that will establish a “2-Way Stop” at the intersection of Harvey Avenue and Derusso Street.

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

Ms. C. Duplantis-Prather moved, seconded by Mr. D. W. Guidry Sr., “THAT, the Council close the aforementioned public hearing.”

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Ms. C. Duplantis-Prather  
SECONDED BY: Mr. D. J. Guidry

**ORDINANCE NO. 8750**

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH, CHAPTER 18, ARTICLE IV. OPERATION OF VEHICLES, DIVISION 2. PARISH, SECTION 18-88 TO ESTABLISH A “2-WAY STOP” AT THE INTERSECTION OF HARVEY AVENUE AND DERUSSO STREET AND TO AUTHORIZE THE INSTALLATION OF THE APPROPRIATE SIGNS; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

**SECTION I**

**BE IT ORDAINED** by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne Parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, to amend the Parish Code of Terrebonne Parish, Chapter 18, Article IV, Section 18-88 to create a “2 Way Stop” at the intersection of Harvey Avenue and Derusso Street, as follows:

CHAPTER 18, Motor Vehicles and Traffic  
ARTICLE IV, Operation of Vehicles  
DIVISION 2. Parish  
SECTION 18-88. Two-way stop intersections.

**(ADD TO LIST)** Harvey Avenue and Derusso Street

The intersection of Harvey Avenue and Derusso Street shall be declared as a “2 Way Stop” intersection, and appropriate “Stop” signs shall be erected and maintained along said roadways. Any vehicle traveling on Harvey Avenue and Derusso Street adhere to the provisions of this ordinance.

**SECTION II**

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

**SECTION III**

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

**SECTION IV**

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

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

THERE WAS RECORDED:

YEAS: S. Dryden, C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and G. Michel.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

The Chairman recognized the public for comments on the following:

E. An ordinance that will establish a “Four-Way Stop” at the intersection of Wimberly Way and Waterford Road.

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

Mr. D. W. Guidry Sr. moved, seconded by Ms. C. Duplantis-Prather, “THAT, the Council close the aforementioned public hearing.”

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry Sr.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Mr. D. W. Guidry, Sr.

SECONDED BY: Ms. C. Duplantis-Prather

#### **ORDINANCE NO. 8751**

an ordinance amending the parish code of Terrebonne Parish, Chapter 18, Motor Vehicles and Traffic, Article IV. Operation Of Vehicles, Division 2. Parish, section 18-87. Four-Way STOP Intersections, to establish a “4-Way Stop” at the intersection of Wimberly Way and Waterford Road; to authorize the installation of the required signs; and to address other matters relative thereto.

#### **SECTION I**

BE IT ORDAINED by the Terrebonne Parish Council, in regular session convened, acting pursuant to the authority invested in it by the Constitution and laws of the State of Louisiana, the Home Rule Charter for a Consolidated Government for Terrebonne Parish, and including, but not limited to, LSA R.S. 33:1368 and other statutes of the State of Louisiana, to amend the parish Codes of Terrebonne Parish, Chapter 18. Motor Vehicles and Traffic, Article IV. Operation of Vehicles, Division 2. Parish, Section 18-87. Four-way stop intersections, so as to establish a “4 Way Stop” at the intersection of Wimberly Way and Waterford Road, as follows:

CHAPTER 18. MOTOR VEHICLES AND TRAFFIC  
ARTICLE IV. OPERATION OF VEHICLES  
DIVISION 2. PARISH  
SECTION 18-87. FOUR-WAY STOP INTERSECTIONS

The intersection of Wimberly Way and Waterford Road shall hereby be established as a “4 Way Stop” and the appropriate “4 Way Stop” signs shall be erected and maintained at said location. Any vehicle traveling at the aforementioned location shall respect and adhere to the

signs as posted.

## SECTION II

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

## SECTION III

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

## SECTION IV

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

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

THERE WAS RECORDED:

YEAS: S. Dryden, C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and G. Michel.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

The Chairman recognized the public for comments on the following:

- F. An ordinance to authorize the Parish President or his designee to execute a purchase agreement and in due course Acts of Sale and any related documents for certain immovable property located on Brady Road.

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

Mr. D. J. Guidry moved, seconded by Ms. C. Duplantis-Prather, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

***\*(Ordinance adopted after discussion.)***

Upon questioning from Councilman G. Michel, Parish Manager A. Levron explained that the Levee District is proposing to relocate and extend the Morganza to the Gulf levee in the Dularge area and the Parish would like to relocate Brady Bridge. Mr. Levron stated that the Parish has applied for funding to replace the bridge and position it next to the property that the

Levee Board is building; and noted that the Parish would like to acquire the property now for said bridge for future use.

OFFERED BY: Ms. C. Duplantis-Prather  
SECONDED BY: Mr. A. Marmande

**ORDINANCE NO. 8752**

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT AND IN DUE COURSE ACTS OF SALE AND ANY RELATED DOCUMENTS FOR CERTAIN IMMOVABLE PROPERTY LOCATED ON BRADY ROAD; AND TO PROVIDE FOR RELATED MATTERS

**WHEREAS**, the Terrebonne Parish Consolidated Government (“TPCG”) is authorized by Louisiana Constitution Art. 6, §23 to purchase immovable property for any public purpose; and

**WHEREAS**, Section 2-11(12) of the Terrebonne Parish Charter requires an ordinance to acquire real property on behalf of the Parish Government; and

**WHEREAS**, the TPCG wishes to purchase two (2) tracts of land located on Brady Road, Tracts 4 and 5, Assessment Numbers 56245 and 56246 as shown on “Survey of Tracts 1, 2, 3, 4, 5, 6, 7, 8 Re-Division of Property Belonging to B. E. S. H., LLC in Section 24, T19S-R16E, Terrebonne Parish, LA” for governmental purposes including the creation of a new bridge at a price not to exceed fair market value; and

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

**SECTION I**

The Parish President, Gordon E. Dove, or his designee, be and he is hereby authorized to execute a Purchase Agreement and in due course Acts of Sale prepared by the Office of the Parish Attorney to purchase the property described above and on the attached plat, Exhibit A, at a price not to exceed the fair market value of the property, estimated at One Hundred Thirty-Nine Thousand, Three Hundred and Sixty Dollars (\$139,360.00) total for the two (2) tracts by appraiser Brian W. Larose on May 18, 2016, and to execute any other necessary legal documents for the purchase of said property.

**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.

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

**THERE WAS RECORDED:**

YEAS: S. Dryden, C. Duplantis-Prather, D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and G. Michel.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

The Chairman recognized the public for comments on the following:

G. An ordinance to amend the 2016 Adopted Operating Budget of the Terrebonne Parish Consolidated Government for the following item and to provide for related matters.

I. Houma Navigation Canal (HNC) Dredging, \$1,500,000.

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

Mr. D. J. Guidry moved, seconded by Ms. C. Duplantis-Prather, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. D. J. Guidry

### **ORDINANCE NO. 8753**

AN ORDINANCE TO AMEND THE 2016 ADOPTED OPERATING BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT FOR THE FOLLOWING ITEMS AND TO PROVIDE FOR RELATED MATTERS.

I. Houma Navigation Canal (HNC) Dredging, \$1,500,000

#### **SECTION I**

**WHEREAS**, the Houma Navigation Canal is critical to the success of the Port of Terrebonne, and the economy of southern LA and needs to be dredged to its authorized depth of 15 feet, and

**WHEREAS**, the dredging project will benefit the local economy by providing for increased shipyard, and fabrication opportunities, with the increased depth of the canal, and

**WHEREAS**, the Terrebonne Port Commission will enter into a Memorandum of Agreement (MOA) with the U.S. Army Corps of Engineers for one year period and provide funding assistance related to the costs of the maintenance dredging of the Houma Navigation Canal, and

**WHEREAS**, the dredging of the Houma Navigation Canal will add some economic value to the Parish by allowing for the continuation of shipyard and fabrication opportunities as well as promoting and developing new opportunities in the local economy, and



**WHEREAS**, the Parish will transfer \$1,500,000 to the Terrebonne Port Commission a non-federal contribution to Dredging of the Lower Reaches of the Houma Navigation Canal scheduled for summer of 2016, and

**WHEREAS**, the funding for this transfer is coming from the General Fund Economic Development restricted fund balance.

**NOW, THEREFORE BE IT ORDAINED**, by the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget be amended for the transfer to the Terrebonne Port Commission (Attachment A) and the Parish President, Gordon E. Dove, is authorized to enter into an Intergovernmental Agreement with the Terrebonne Port Commission, subject to approval by legal counsel for the Parish.

**SECTION II**

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

**SECTION III**

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

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

**THERE WAS RECORDED:**

YEAS: C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

**ATTACHMENT A - Port Commission-HNC Dredging**

	<b>2016</b>		
	<b><u>Adopted</u></b>	<b><u>Change</u></b>	<b><u>Amended</u></b>
Port Commission-HNC Dredging	-	1,500,000	1,500,000
Fund Balance (decrease)	N/A	(1,500,000	N/A

Terrebonne Port Commission Executive Director David Rabalais expressed his gratitude to the Council for supporting the aforementioned ordinance.

Discussion ensued with Councilmen D. J. Guidry and S. Trosclair and Terrebonne Port Commission Executive Director D. Rabalais regarding the placement of sediment that is being dredged in the Houma Navigation Canal.

The Chairman recognized the public for comments on the following:

H. A proposed ordinance to amend the 2016 Adopted Operating budget and 5-Year Capital Outlay Budget of the Terrebonne Parish Consolidated Government for the following item and to provide for related matters:

I. Houma Navigation Canal, Ecosystem Restoration, (Section 206 Project), \$2,535,000.

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

Mr. D. J. Guidry moved, seconded by Mr. G. Michel, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. D. J. Guidry

#### **ORDINANCE NO. 8754**

AN ORDINANCE TO AMEND THE 2016 ADOPTED OPERATING BUDGET AND 5-YEAR CAPITAL OUTLAY BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT FOR THE FOLLOWING ITEMS AND TO PROVIDE FOR RELATED MATTERS.

I. HOUMA NAVIGATION CANAL, ECOSYSTEM RESTORATION, (SECTION 206 PROJECT), \$2,535,000

#### **SECTION I**

**WHEREAS**, the Parish has a project partnership agreement with the Department of the Army for the Program Section 206 Aquatic Ecosystem Restoration, and

**WHEREAS**, the Parish is required to match 35%, \$2,535,000, and

**WHEREAS**, the Lake Boudreaux Area Forced Drainage Projects have been delayed due to issues related to a companion project TE-32a, and

**WHEREAS**, funds from the Lake Boudreaux Area Forced Drainage Project will be combined with funds from existing capital project entitled "Coastal restoration HNCCAP 206" to cover the required non-federal match, and

**WHEREAS**, future RESTORE Act funds, in at least an equal amount will be programmed to replace funds transferred from the Lake Boudreaux Forced Drainage project account.

**NOW, THEREFORE BE IT ORDAINED**, by the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government, that the 2016 Adopted Operating Budget and 5-year Capital Outlay Budgeted be amended to recognize the funding for the Ecosystem Restoration Project. (Attachment A)

## SECTION II

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

## SECTION III

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

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

**THERE WAS RECORDED:**

YEAS: C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

### **ATTACHMENT A - Ecosystem Restoration Project (HNC)**

	2016		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Lake Boudreaux Diversion	8,087,683	(1,900,000)	6,187,683
Coastal Restoration	1,750,000	(635,000)	1,115,000
Ecosystem Restoration Project (HNC)	-	2,535,000	2,535,000

The Chairman recognized the public for comments on the following:

- I. (Emergency) Ordinance: An Ordinance declaring an emergency to ratify all resolutions as they refer to insurance premiums, brokers, consultants, and contracts for the year 2016.

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

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair, "THAT, the Council close the aforementioned public hearing."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

**THERE WAS RECORDED:**

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

OFFERED BY: Mr. D. J. Guidry  
SECONDED BY: Mr. S. Dryden

**(EMERGENCY) ORDINANCE NO. 8755**

**AN ORDINANCE DECLARING AN EMERGENCY TO RATIFY ALL RESOLUTIONS AS THEY REFER TO INSURANCE PREMIUMS, BROKERS, CONSULTANTS, AND CONTRACTS FOR THE YEAR 2016.**

**WHEREAS**, this emergency is to protect the safety, health, and welfare of the Parish and its employees by legally binding the insurances in place and resolving any issue of the validity of all current insurance and consultant contracts in place.

**SECTION I**

**WHEREAS**, it has been long standing practice with the Risk Management Department and Administration to recommend appointment of all insurance Producers of Record, brokers, consultants, insurance premiums, and contracts to the Parish Council in the form of a Resolution for services and present to the Parish Council for approval, and

**WHEREAS**, it is also a long standing practice dating back to 2002 that these contracts and agreements have been approved by the council by way of passage of a Resolution, and,

**WHEREAS**, the Risk Management Department has made recommendations thru Administration that the following contracts, agreements, and premiums for the year 2016, and the Parish Council has adopted:

1. Resolution No. 15-407 Professional Consultant Services Sigma Risk Management Consulting, LLC for 2016
2. Resolution No. 14-492 Professional Consultant Services Clesi Burns, LLC for 2016
3. Resolution No. 15-405 Property Producer/broker contract McGriff, Seibels & Williams, Inc. for 2016
4. Resolution No. 16-052 Property Insurance Premiums, Equipment Floater, Special Equipment Floater, and Boiler & Machinery Insurance coverage for 2016 – 2017. McGriff, Seibels & Williams of Louisiana, Inc.
5. Resolution No. 15-406 Casualty Producer/broker contract for 2016 Willis of Louisiana, Inc.
6. Resolution No. 16-093A Casualty Insurance Premiums with Willis of Louisiana, Inc. for 2016 – 2017.
7. Resolution No. 15-586 Employee Benefit plan costs for 2016 – 2017 for medical, dental, pharmacy, short term disability, long term disability, basic life and voluntary life including all administrative costs.
8. Resolution No. 16-325 Resolution to authorize and appoint Prudential/Dearborne Insurance to provide certain Employee benefits effective August 1, 2016. (Short Term disability, long term disability, basic life and voluntary life including all administrative cost).

**WHEREAS**, the Risk Management Department and Administration request the Ratification of these resolutions listed in this Ordinance to be in compliance with Ordinance Number 4551.

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

An extreme, public emergency, is hereby certified and declared to exist with respect to the safety, health, and welfare of the Parish and its employees as it is imperative to immediately legally bind the insurances in place and resolve any issues concerning the validity of any, and all current insurance and consultant contracts in place, and

1. Resolution No. 15-407 Professional Consultant Services Sigma Risk Management Consulting, LLC for 2016
2. Resolution No. 14-492 Professional Consultant Services Clesi Burns, LLC for 2016
3. Resolution No. 15-405 Property Producer/broker contract McGriff, Seibels & Williams, Inc. for 2016
4. Resolution No. 16-052 Property Insurance Premiums, Equipment Floater, Special Equipment Floater, and Boiler & Machinery Insurance coverage for 2016 – 2017. McGriff, Seibels & Williams of Louisiana, Inc.
5. Resolution No. 15-406 Casualty Producer/broker contract for 2016 Willis of Louisiana, Inc.
6. Resolution No. 16-093A Casualty Insurance Premiums with Willis of Louisiana, Inc. for 2016 – 2017.
7. Resolution No. 15-586 Employee Benefit plan costs for 2016 – 2017 for medical, dental, pharmacy, short term disability, long term disability, basic life and voluntary life including all administrative costs.
8. Resolution No. 16-325 Resolution to authorize and appoint Prudential/Dearborne Insurance to provide certain Employee benefits effective August 1, 2016. (Short Term disability, long term disability, basic life and voluntary life including all administrative cost.)

are hereby approved, and ratified effective upon passage of this Emergency Ordinance, and the Parish President is authorized to execute any and all documents necessary to effectuate implementation of this Emergency Ordinance.

## **SECTION II**

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

## **SECTION III**

This ordinance shall become effective upon approval by the Parish Council and signature of 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: C. Duplantis-Prather, D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, G. Michel and S. Dryden.

NAYS: None.

NOT VOTING: None.

ABSTAINING: None.

ABSENT: A. Williams.

The Chairman declared the ordinance adopted on this the 27th day of July 2016.

Ms. C. Duplantis-Prather moved, seconded by Mr. S. Trosclair, “THAT, the Council continue with the regular order of business.”

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Parish Lobbyist Mary-Patricia Wray thanked the Council for the honor of representing Terrebonne Parish over the last three legislative sessions and gave a brief update on her legislative efforts for Terrebonne Parish.

Several Council members thanked Mrs. Wray for the hard work she done for Terrebonne Parish.

Randall Waterlander, Waste Pro representative, presented a power point presentation showing the changes to the residential and small commercial collection routes and collection days. Mr. Waterlander explained that their services will begin on August 1st.

Discussion ensued between several Council members and Waste Pro Representative Mr. Waterlander and Solid Waste Director Clay Naquin regarding the aforementioned new services; and noted that residents can view waste collection information on the Parish website.

Parish Manager A. Levron explained that at the last Council meeting, a public hearing was scheduled concerning the possible issuance of a permit for a Waste Storage Facility on Denley Road to American Recovery, LLC. Mr. Levron stated that American Recovery, LLC has submitted the application and the Parish has completed the prerequisite notices and held a public hearing; and that the matter would be whether or not to accept the permit by American Recovery, LLC and to possibly grant the 1 mile setback variance at tonight's meeting.

Planning and Zoning Director Chris Pulaski read aloud a staff report containing the proposal, analysis and variance pertaining to the American Recovery Waste Storage Facility Permit Application. Mr. Pulaski explained that staff recommends approval provided that the applicant agrees in writing to specific conditions.

Discussion ensued between several Council members, Planning and Zoning Director Chris Pulaski and Administration regarding the proposed Waste Storage Facility. President Dove stated that this will be a used oil transfer and storage facility, which is the same type of oil that is used in vehicles; noting that the oil is totally recyclable and is used in ocean going vessels.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair, "THAT, the Council approve the permit application by American Recovery, LLC, and granting a variance from the 1 mile radius setback."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman recognized Ms. Lucretia McBride, a Houma resident, who stated that she had questions regarding the new Waste Pro route; however, her questions were answered during the discussion with the Waste Pro representative.

Mr. D. J. Guidry moved, seconded by Ms. C. Duplantis-Prather and Mr. S. Trosclair, "THAT, the Council accept the minutes of the Terrebonne Parish Sales and Use Tax Advisory Board meeting dated July 14, 2016 and ratify the following actions:

1) Recommendation to accept 2015 Financial Audit Report as prepared by Bourgeois Bennett, LLC."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman called for a report on the Public Services Committee meeting held on 07/26/16, whereupon the Committee Vice-Chairman noting ratification of minutes called a public hearing on August 10, 2016 at 6:30 p.m., rendered the following:

#### PUBLIC SERVICES COMMITTEE

JULY 26, 2016

The Vice-Chairman, Darrin W. Guidry, Sr., called the Public Services Committee meeting to order at 6:27 p. m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by Committee member A. Marmande and the Pledge of Allegiance led by Committee member A. Marmande. Upon roll call, Committee Members recorded as present were: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden. A. Williams, G. Michel and C. Duplantis-Prather were recorded as absent. A quorum was declared present.

OFFERED BY: Mr. D. J. Guidry

SECONDED BY: Mr. S. Trosclair

#### **RESOLUTION NO. 16-363**

AUTHORIZING THE PARISH PRESIDENT TO SIGN AND SUBMIT AN AMENDMENT TO THE TERREBONNE PARISH GUSTAV/IKE DISASTER RECOVERY PLAN BUDGET TO THE STATE OF LOUISIANA AND HUD TO COMPLY WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been awarded Community Development Block Grant (CDBG) funding as a result of the damage caused by Hurricanes Gustav and Ike; and

**WHEREAS**, the feasibility or need for funding projects included in the original Terrebonne Parish Gustav/Ike Disaster Recovery Plan has changed and the Falgout Canal West Barge Gate Structure Project will move from alternate status to a priority project; and

**WHEREAS**, Dularge Levee Project will be moved to alternate status; and

**WHEREAS**, funding from Dularge Levee will be transferred to the Falgout Canal West Barge Gate Structure and Suzie Canal Levee Projects; and

**WHEREAS**, funding from Dularge Levee will be transferred to the Falgout Canal West Barge Gate Structure and Suzie Canal Levee Projects; and

**WHEREAS**, a public hearing is called for August 10, 2016 for public objections and/or comments relative to the Falgout Canal West Barge Gate Structure and Dularge Levee Projects; and

**WHEREAS**, following the public hearing, the Council will take the above action; and

**WHEREAS**, through the proper public approval process the funds can be reallocated from one project to another as reflected in Attachment A; and

**NOW, THEREFORE, BE IT RESOLVED** by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that that the Parish President, Gordon E. Dove, is authorized to sign, submit and implement the recommended amendment to the Terrebonne Parish Gustav/Ike Disaster Recovery Plan regarding the projects in Attachment A.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

Parish President G. Dove explained that the aforementioned resolution gives the parish the ability to move funding from the CDBG fund and to help construct a flood gate on the Falgout Canal. He noted that this project is moving forward and that the Parish is sixty days away from the permitting process.

Executive Director Reggie Dupre, Jr., and President Anthony “Tony” Alford, from the Terrebonne Parish Levee District Board, explained that building new flood gates is a priority for the Parish and that the floodgates are the first line of defense for the coastal communities when there is a storm surge and/or tidal event. He noted that the aforementioned project strengthens the Morganza to the Gulf system.

Mr. Alford recognized Mr. Leward “Sou” Henry, Mr. Walton “Buddy Daisy” and Mr. Carl Chauvin who were in the audience for tonight’s proceedings.

Several Committee members thanked Mr. Dupre and the entire Levee Board for all of their hard work and for protecting Terrebonne Parish.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. D. J. Guidry

**RESOLUTION NO. 16-364**

PROVIDING APPROVAL OF AMENDMENT NO. 1 TO THE ENGINEERING AGREEMENT FOR PARISH PROJECT NO.16-SEW-12, SOUTH WASTEWATER TREATMENT PLANT LEVEE REHABILITATION, TERREBONNE PARISH, LOUISIANA.

**WHEREAS**, the Terrebonne Parish Consolidated Government did enter into an original engineering agreement with GIS Engineering, LLC dated May 23, 2016, recordation number



1507691, for the South Wastewater Treatment Plant Levee Rehabilitation Project identified as Parish Project 16-SEW-12, and

**WHEREAS**, the Engineering Agreement between OWNER and ENGINEER provides for certain limitations for Additional Services, and

**WHEREAS**, the engineer has informed the Terrebonne Parish Consolidated Government that a permit application needs to be prepared, and

**WHEREAS**, Amendment No. 1 proposes to increase the fees to include the permit application, and

**WHEREAS**, this above work will increase the Additional Services by \$6,470.00, and

**NOW, THEREFORE BE IT RESOLVED** that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby approve this Amendment No. 1 to the Engineering Agreement for an overall increase of \$6,470.00 and authorizes Parish President Gordon E. Dove to execute this Amendment No. 1 to the Engineering Agreement for the South Wastewater Treatment Plant Levee Rehabilitation, Parish Project No. 16-SEW-12, with GIS Engineering, LLC, and

**BE IT FURTHER RESOLVED** that a certified copy of the resolution be forwarded to the Engineer, GIS Engineering, LLC

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Dryden

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-365**

Providing for the acceptance of work performed by LA Contracting Enterprise, LLC in accordance with the Certificate of Substantial Completion for Parish Project No. 12-CDBG- SEW-55, Part 2, Gray Sewerage Extension Project, Phase II, Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government entered into a contract dated August 28, 2015, with LA Contracting Enterprises, LLC, Recordation Number 1488605, for Parish Project No. 12-CDBG-SEW-55, Part 2, Gray Sewerage Extension Project, Phase II, Terrebonne Parish, Louisiana, and

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

**WHEREAS**, the Engineer for this project, GreenPoint Engineering, 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, 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. 1488605 of the Records of Terrebonne Parish, Louisiana, and

**BE IT FURTHER RESOLVED**, that a certified copy of the resolution be forwarded to the Engineer, GreenPoint Engineering, and

**BE IT FURTHER RESOLVED**, that a certified copy of this 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: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. D. J. Guidry

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-366**

Providing approval of Amendment No. 2 to the Engineering Agreement for Parish Project No. 14-SEW-25, Gum Street Sewer Lift Station Improvements, Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government entered into an original Engineering Agreement with Providence/GSE Associates, LLC, dated July 11, 2014, recordation number 1458022, for the project entitled Gum Street Sewer Lift Station Improvements, Parish Project No. 14-SEW-25, Terrebonne Parish, Louisiana, and

**WHEREAS**, the Engineering Agreement between OWNER and ENGINEER provides for certain limitations for Basic and Additional Services, and

**WHEREAS**, the engineer has informed the Terrebonne Parish Consolidated Government of the additional construction time related to Change Orders 1, 2 and 3 and associated items of work, and

**WHEREAS**, Amendment No. 2 proposes to increase the fees to include this addition to the scope of the project, and

**WHEREAS**, the Terrebonne Parish Consolidated Government is desirous of having these services continued with an increase in Basic Services by \$3,400.00, for a Lump Sum total of \$70,900.00, and an increase in the Additional Services for Project Representation by \$8,200.00, for a total of \$21,700.00.

**NOW, THEREFORE BE IT RESOLVED** by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve this Amendment No. 2 to the Engineering Agreement for a net increase in the compensation for Basic Services in the amount of \$3,400.00 and Additional Services in the amount of \$8,200.00, and authorizes Parish President Gordon E. Dove to execute this

Amendment No. 2 to the Engineering Agreement for Gum Street Sewer Lift Station Improvements, Parish Project No. 14-SEW-25, Terrebonne Parish, Louisiana, with Providence/GSE Associates, LLC, and

**BE IT FURTHER RESOLVED**, that a certified copy of the resolution is forwarded to the Engineer, Providence/GSE Associates, LLC.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. D. J. Guidry

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-367**

Authorizing the execution of Change Order No. 2 to the Construction Agreement with Sealevel Construction, Inc., for Parish Project No. 13-SEW-31, North WWTP PE Pump Station Improvements Project, Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government entered into a contract dated June 10, 2015 with Sealevel Construction, Inc., Recordation Number 1482268, for Parish Project No. 13-SEW-31, North WWTP PE Pump Station Improvements Project, Terrebonne Parish, Louisiana, and

**WHEREAS**, Terrebonne Parish Consolidated Government is desirous of completing the construction of the North WWTP PE Pump Station Improvements Project, and

**WHEREAS**, this change order has been recommended by the project engineer, GreenPoint Engineering, LLC, to increase the contract time by 166 calendar days, due to a major delay by the pump manufacturer to deliver the required pumps and controls, and

**NOW, THEREFORE BE IT RESOLVED**, the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorizes the execution of Change Order No. 2 by Terrebonne Parish President Gordon E. Dove, for Parish Project No. 13-SEW-31, North WWTP PE Pump Station Improvements Project, Terrebonne Parish, Louisiana, for an increase of 166 calendar days to the contract time, and

**BE IT FURTHER RESOLVED** that a certified copy of the resolution be forwarded to Engineer, GreenPoint Engineering, LLC.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Trosclair  
SECONDED BY: Mr. D. J. Guidry

**RESOLUTION NO. 16-368**

Providing for the acceptance of work performed by Sealevel Construction, Inc. in accordance with the Certificate of Substantial Completion for Parish Project No. 13-SEW-31, North Wastewater Treatment Plant (WWTP) PE Pump Station Improvements, Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government entered into a contract dated June 10, 2015, with Sealevel Construction, Inc., Recordation Number 1482268, for Parish Project No. 13-SEW-31, North Wastewater Treatment Plant (WWTP) PE Pump Station Improvements, Terrebonne Parish, Louisiana, and

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

**WHEREAS**, the Engineer for this project, GreenPoint Engineering, LLC, recommends the acceptance of the substantial completion, and

**WHEREAS**, this project is a part of the 0% interest loan from the Louisiana Department of Natural Resources (LDNR) under the State's Flex-Fund Program associated with improved energy efficiency, 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, 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. 1482268 of the Records of Terrebonne Parish, Louisiana, and

**BE IT FURTHER RESOLVED**, that a certified copy of the resolution be forwarded to the Engineer, GreenPoint Engineering, LLC, and

**BE IT FURTHER RESOLVED**, that a certified copy of this 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: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Trosclair  
SECONDED BY: Mr. D. J. Guidry

**RESOLUTION NO. 16-369**

Authorizing the execution of Change Order No. 1 to the Construction Agreement for Parish Project No. 14-SEW-24, Renovations to Mire and Wallis Sewer Lift Stations, a part of the Clean Water State Revolving Fund (CWSRF) Project No. CS221490-01, Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government entered into a Construction Agreement with Sealevel Construction, Inc., dated December 16, 2015, for the Renovations of Mire and Wallis Sewer Lift Stations, Parish Project No. 14-SEW-24, Terrebonne Parish, Louisiana, and

**WHEREAS**, this change order is necessary, in order to compensate the contractor for work and required material, due to unforeseen subsurface conflicts, and

**WHEREAS**, the Engineer, Duplantis Design Group, P.C., has recommended this Change Order No. 1 for an increase in the contract price by \$20,161.02 and an increase the contract time by 92 calendar days, and

**WHEREAS**, this change order is contingent upon the approval from the Louisiana Department of Environmental Quality (LDEQ), and

**NOW, THEREFORE BE IT RESOLVED**, the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution of Change Order No. 1 by Terrebonne Parish President Gordon E. Dove, for Parish Project No. 10-SEW-24, Renovations to Mire and Wallis Sewer Lift Stations, Terrebonne Parish, Louisiana.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

Mr. D. J. Guidry moved, seconded by Mr. S. Dryden and Mr. S. Trosclair, "THAT, the Public Services Committee introduce an Ordinance to revoke a portion of an existing 65 foot drainage servitude along Lots 18 through 23 of Crescent Place Subdivision located in Sections 81 & 94, T17S-R16; and to provide for other matters relative thereto, and call a public hearing at 6:30 p.m. on Wednesday, August 10, 2016."

The Vice-Chairman called for the vote on the motion offered by Mr. D. J. Guidry.

**THERE WAS RECORDED:**

YEAS: D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Vice-Chairman declared the motion adopted.

OFFERED BY: Mr. S. Trosclair  
SECONDED BY: Mr. A. Marmande

**RESOLUTION NO. 16-370**

Awarding and authorizing the signing of the construction Contract for Parish Project No. 14-SCADA-13, Telemetry System for Drainage Pump Stations (SCADA), Phase 2, Terrebonne Parish Consolidated Government, Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

**WHEREAS**, the Terrebonne Parish Consolidated Government did receive construction bids on Parish Project No. 14-SCADA-13, Telemetry System for Drainage Pump Stations (SCADA), Terrebonne Parish, Louisiana, and,

**WHEREAS**, the lowest and best bid was that submitted by E3 Electrical, Inc., in the bid amount of \$310,650.00, and

**NOW, THEREFORE, BE IT RESOLVED** that the Terrebonne Parish Consolidated Government award the construction contract to E3 Electrical, Inc., in the amount of \$310,650.00, and

**BE IT FURTHER RESOLVED**, that the President of Terrebonne Parish Consolidated Government, be and he is hereby authorized and empowered to sign a construction contract for and on behalf of the Terrebonne Parish Consolidated Government with E3 Electrical, Inc., upon receipt of the performance bond in the amount of the contract price, and

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

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Dryden  
SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-371**

A resolution providing approval of Amendment No. 1 to the Engineering Agreement for Parish Project No. 14-ROAD-33, Hollywood Road Extension (Valhi Blvd to LA 182), Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government did enter into an original engineering agreement with Providence/GSE Associates, LLC dated November 10, 2014, recordation number 1467530, for the Hollywood Road Extension (Valhi Blvd to LA 182) Project identified as Parish Project 14-ROAD-33, and

**WHEREAS**, the Engineering Agreement between OWNER and ENGINEER provides for certain limitations for Basic Services and specific Additional Services, and

**WHEREAS**, the Louisiana Department of Natural Resources (LDNR) completed a site visit to determine wetland locations that would be disturb during the construction of Hollywood Road Extension, and

**WHEREAS**, during the review LDNR determined a Transportation Needs, Alternatives, and Justification and a Hydrologic Modification Impact Analysis (HMIA) would need to be submitted to complete LDNR's review of the project, and

**WHEREAS**, the justification and HMIA were not in the original scope of services and will require a significant amount of effort to complete, and

**WHEREAS**, the Engineer has requested an amendment to add monies to complete these requirements, and

**WHEREAS**, TPCG is desirous of having these services continued so that there is a need for additional funds to be added to the contract, and

**WHEREAS**, this above work will increase the additional services section of the contract by an additional \$17,850.00.

**NOW, THEREFORE BE IT RESOLVED** that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby approve this Amendment No. 1 to the Engineering Agreement for an increase of \$17,850.00 in Additional Services authorizes Parish President Gordon E. Dove to execute this Amendment No. 1 to the Engineering Agreement for the Hollywood Road Extension (Valhi Blvd to LA 182) Project, Parish Project No. 14-ROAD-33, with Providence/GSE Associates, LLC, and

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

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Dryden

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-372**

Providing for the acceptance of work performed by Sealevel Construction, Inc. in accordance with the Certificate of Substantial Completion for Parish Project No. 15-SEW-17, Fannie Sewer Force Main Relocation, Terrebonne Parish, Louisiana.

**WHEREAS**, the Terrebonne Parish Consolidated Government entered into a contract dated May 9, 2016, with Sealevel Construction, Inc., Recordation Number 1506578, for Parish Project No. 15-SEW-17, Fannie Sewer Force Main Relocation, Terrebonne Parish, Louisiana, and

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

**WHEREAS**, the Engineer for this project, Milford & Associates, 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, 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. 1506578 of the Records of Terrebonne Parish, Louisiana, and

**BE IT FURTHER RESOLVED**, that a certified copy of the resolution be forwarded to the Engineer, Milford & Associates, Inc., and

**BE IT FURTHER RESOLVED**, that a certified copy of this 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: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

Mr. S. Dryden moved, seconded by Mr. S. Trosclair, "THAT, there being no further business to come before the Public Services Committee, the meeting be adjourned."

The Vice-Chairman called for the vote on the motion offered by Mr. S. Dryden.

**THERE WAS RECORDED:**

YEAS: D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Chairwoman declared the motion adopted and the meeting was adjourned at 6:48 p.m.

Darrin W. Guidry, Sr., Vice-Chairman

Tammy E. Triggs, Minute Clerk

Mr. D. W. Guidry Sr. moved, seconded by Ms. C. Duplantis-Prather, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 07/14/16."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry Sr.

**THERE WAS RECORDED:**

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.



The Chairman called for a report on the Community Development and Planning Committee meeting held on 07/26/16, whereupon, the Committee Chairman noting ratification of minutes called a public hearing on August 10, 2016 at 6:30 p.m., rendered the following:

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

JULY 26, 2016

The Chairman, Dirk J. Guidry, called the Community Development & Planning Committee meeting to order at 6:50 p. m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by Committee member S. Dryden and the Pledge of Allegiance by Committee member A. Marmande. Upon roll call, Committee Members recorded as present were: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden. A. Williams, G. Michel and C. Duplantis-Prather were recorded as absent. A quorum was declared present.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. S. Dryden

**RESOLUTION NO. 16-373**

Authorizing the Parish President to sign the Weatherization Assistance Program contract between Louisiana Housing Council (LHC) and Terrebonne Parish Consolidated Government.

**WHEREAS**, the contract amount of \$143,790.81 is available to the Terrebonne Parish Consolidated Government for a period of July 1, 2016 through June 30, 2017

**NOW, THEREFORE BE IT RESOLVED** that the Terrebonne Parish Council, on the behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Gordon E. Dove, to sign and submit the Weatherization Assistance Program Contract.

**NOW, THEREFORE BE IT FURTHER RESOLVED** that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Gordon E. Dove, to execute any and all grant agreements, certifications, amendments, modifications, and all documents necessary between Terrebonne Parish Consolidated Government and the Louisiana Housing Council (LHC) for the enactment of this contract.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. D. W. Guidry, Sr.

**RESOLUTION NO. 16-374**

A RESOLUTION AUTHORIZING OPTIONS FOR AFFORDABLE HOUSING, A CERTIFIED COMMUNITY HOUSING DEVELOPMENT ORGANIZATION, TO ASSUME THE LOAN

BALANCES AND AFFORDABILITY PERIODS OF 301 AUTHEMENT STREET, 7 KINGSRIDGE LOOP, 117 ANTOINE STREET, AND 240 MARY ANN AVENUE, CURRENTLY OWNED BY CONCERNED CLERGY AND LAITY OF CHRISTIAN CHURCHES AND TO PROVIDE PERMANENT FINANCING IN AN AMOUNT NOT TO EXCEED \$125,000.00 FOR THE REQUIRED REHABILITATION OF 117 ANTOINE STREET.

**WHEREAS**, Terrebonne Parish Consolidated Government has allocated 3,160,000.00 of its *Community Development Block Grant 2008 Disaster Recovery Supplemental Appropriation* for the specific purpose of revitalizing communities damaged by Hurricanes Gustav and/or Ike by eliminating the blight of vacant properties and increase the availability of affordable rental housing for low to moderate income persons that has been strained as a result of the storms, and

**WHEREAS**, Options For Affordable Housing, a qualified non-profit developer, is committed to developing affordable rental housing for low income and disabled citizens of Terrebonne, and

**WHEREAS**, Options For Affordable Housing has submitted a proposal to acquire and assume the loan balances and affordability periods of the following properties owned by the Concerned Clergy and Laity of Christian Churches located at 301 Authement Street, 7 Kingsridge Loop, 117 Antoine Street, and 240 Mary Ann Avenue, and

**WHEREAS**, the said proposal includes a Disaster In-Fill Housing application in the amount of \$125,000.00 to rehabilitate 117 Antoine Street, and

**WHEREAS**, after a thorough review of Options For Affordable Housing's proposal by the Department of Housing and Human Services, it has been determined that the requirements to move forward with the acquisitions, assumptions and rehabilitation have been met.

**WHEREAS**, this loan is conditioned upon Options For Affordable Housing meeting all requirements set forth by the Louisiana Office of Community Development's Disaster Recovery Unit and the Terrebonne Parish Consolidated Government upon completion of work.

**NOW, THEREFORE BE IT RESOLVED**, that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government, and the Parish President, does hereby approve the assumptions of the loan balances and affordability periods of 301 Authement Street, 7 Kingsridge Loop, 117 Antoine Street, and 240 Mary Ann Avenue and conditionally loan Disaster In-Fill Housing Program funds in an amount not to exceed \$125,000.00 to Options For Affordable Housing for the rehabilitation of 117 Antoine Street, and

**BE IT FURTHER RESOLVED**, that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does, hereby authorize the Parish President to execute all agreements in this regard once reviewed and approved by the Parish Attorney.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

Mr. Roosevelt Thomas, President and Director of Options for Affordable Housing, explained that the aforementioned project gives individuals an opportunity to find suitable ADH and/or HUD compliant housing that they can rent. Mr. Thomas added that any tenant can apply

for a loan to purchase their home after a three year tenancy and noted that Options for Affordable Housing works in conjunction with the Terrebonne Parish Housing and Human Services Department.

OFFERED BY: Mr. D. W. Guidry, Sr.  
SECONDED BY: Mr. S. Dryden

**RESOLUTION NO. 16-375**

Giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, gas, and rights-of-way for "South Manchester Subdivision, Phase 1;" energize and accept the street lights; and to incorporate the extension of "Nottingham Trail" into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

**THEREFORE, BE IT RESOLVED** by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, gas, and rights-of-way for "South Manchester Subdivision, Phase 1;" energize and accept the street lights; and to incorporate the extension of "Nottingham Trail" into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

**BE IT FURTHER RESOLVED** that a public hearing on said ordinance be called for Wednesday, August 10, 2016 at 6:30 p.m.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Trosclair  
SECONDED BY: Mr. S. Dryden

**RESOLUTION NO. 16-376**

OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH FLOOD HAZARD MITIGATION GRANT PROGRAM/HURRICANE RITA, PROJECT NO 1603C-109-0010 TO COMPLETE THE STRUCTURE ELEVATION OF 109 LOIS AMY STREET, MONTEGUT, LA.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Hurricane Rita Flood Hazard Mitigation Grant Program (HMGP), Project No. 1603C-109-0010, can proceed with the mitigation of the following property:

**ADDRESS:** 109 LOIS AMY STREET  
MONTEGUT, LA 70377

**OWNED BY: RAYNOLD AND CHARLOTTE TROSCLAIR;**

**WHEREAS**, Under Higher Ground Flood Protection Services has developed the required “Elevation Packet” recommending the elevation of the property for this owner.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council that the necessary funding under the Terrebonne Parish Flood Hazard Mitigation Grant Program/Hurricane Rita, Project No. 1603C-109-0010 be hereby obligated to mitigate the property above.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. A. Marmande

**RESOLUTION NO. 16-377**

OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH FLOOD HAZARD MITIGATION GRANT PROGRAM/HURRICANE GUSTAV, PROJECT NO 1786-109-0006 TO COMPLETE THE STRUCTURE ELEVATION OF 307 RJ DRIVE, CHAUVIN, LA 70344.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Hurricane Gustav Flood Hazard Mitigation Grant Program (HMGP), Project No. 1786-109-0006, can proceed with the mitigation of the following property:

**ADDRESS:** 307 RJ DRIVE  
CHAUVIN, LA 70344

**OWNED BY: TONI CROCHET ADAMS;**

**WHEREAS**, under the administrative guidance of Solutient, the required “Elevation Packet” has been prepared and executed for the property owner recommending elevation through the HMGP Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council that the necessary funding under the Terrebonne Parish Flood Hazard Mitigation Grant Program/Hurricane Gustav, Project No. 1786-109-0006 be hereby obligated to mitigate the property above.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. A. Marmande  
SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-378**

OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH FLOOD HAZARD MITIGATION GRANT PROGRAM/HURRICANE RITA, PROJECT NO 1603C-109-0010 TO COMPLETE THE STRUCTURE ELEVATION OF 6 ROCKY ROAD, CHAUVIN, LA.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Hurricane Rita Flood Hazard Mitigation Grant Program (HMGP), Project No. 1603C-109-0010, can proceed with the mitigation of the following property:

**ADDRESS:** 6 ROCKY ROAD  
HOUMA, LA 70363

**OWNED BY:** JOHN AND DOROTHY VICE;

**WHEREAS**, under the administrative guidance of Higher Ground Flood Protection Services, the required "Elevation Packet" has been prepared and executed for the property owner recommending elevation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council that the necessary funding under the Terrebonne Parish Flood Hazard Mitigation Grant Program/Hurricane Rita, Project No. 1603C-109-0010 be hereby obligated to mitigate the property above.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. D. W. Guidry, Sr.

SECONDED BY: Mr. S. Dryden

**RESOLUTION NO. 16-379**

OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH PREDISASTER MITIGATION GRANT PROGRAM, PROJECT NO. PDM-06-LA-2014-002 TO COMPLETE THE STRUCTURE ELEVATION OF 423 RIGHTOR STREET, HOUMA, LA 70364.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Pre-Disaster Mitigation (PDM) Grant Program, Project No. PDM-06-LA-2014-002, can proceed with the mitigation of the following property:

**ADDRESS:** 423 RIGHTOR STREET  
HOUMA, LA 70364

**OWNED BY:** JANE BOUDREAUX;

**WHEREAS**, under the administrative guidance of Solutient, the required “Elevation Packet” has been prepared and executed for the property owner recommending elevation through the Hazard Mitigation Assistance PDM Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council that the necessary funding under the Terrebonne Parish Pre-Disaster Mitigation Grant Program, Project No. PDM-06-LA-2014-002 be hereby obligated to mitigate the property above.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Dryden

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-380**

OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH PREDISASTER MITIGATION GRANT PROGRAM, PROJECT NO. PDM-06-LA-2014-002 TO COMPLETE THE STRUCTURE ELEVATION OF 105 SOUTH CENTRAL BOULEVARD, CHAUVIN, LA 70344.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Pre-disaster Mitigation (PDM) Grant Program, Project No. PDM-06-LA-2014- 002, can proceed with the mitigation of the following property:

Address: **105 South Central Boulevard Chauvin, LA 70344**

Owned by: **Jimmy Lirette, Jr.;**

**WHEREAS**, under the administrative guidance of Solutient, the required “elevation packet” has been prepared and executed for the property owner recommending elevation through the Hazard Mitigation Assistance PDM program.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council that the necessary funding under the Terrebonne Parish Pre-disaster Mitigation Grant Program, Project No. PDM-06-LA-2014-002 be hereby obligated to mitigate the property above.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Dryden

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-381**

OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH FLOOD HAZARD MITIGATION GRANT

PROGRAM/HURRICANE GUSTAV, PROJECT NO 1786-109-0006 AND THE CDBG ISAAC LOW-TO-MODERATE INCOME (LMI) COST SHARE PROGRAM TO COMPLETE THE STRUCTURE ELEVATION OF 5091 GRAND CAILLOU ROAD, HOUMA, LA 70363.

**WHEREAS**, the Terrebonne Parish Consolidated Government has been formally notified by FEMA that the Hurricane Gustav Flood Hazard Mitigation Grant Program (HMGP), Project No. 1786-109-0006, can proceed with the mitigation of the following property:

Address: **5091 GRAND CAILLOU ROAD  
HOUMA, LA 70363**

Owned By: **LOUIS AND SARAH BARNES;**

**WHEREAS**, the Parish has received application approval from the State of Louisiana Office of Community Development Disaster Recovery Unit to provide the 25% Nonfederal share through the Community Development Block Grant (CDBG) Isaac LMI Cost Share Program for the eligible owners; and

**WHEREAS**, under the administrative guidance of Solutient, the required “Elevation Packet” has been prepared and executed for the property owner recommending elevation through the HMGP Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council that the necessary funding under the Terrebonne Parish Flood Hazard Mitigation Grant Program/Hurricane Gustav, Project No. 1786-109-0006 and the CDBG Isaac LMI Cost Share Program be hereby obligated to mitigate the property above.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Trosclair

SECONDED BY: Mr. S. Dryden

**RESOLUTION NO. 16-382**

**ADOPTING THE TERREBONNE PARISH FLOOD  
RESPONSE PLAN**

**WHEREAS**, the Terrebonne Parish Consolidated Government is participating in the Community Ratings System (CRS) to reduce flood risks and lower flood insurance rates; and

**WHEREAS**, under the CRS program most flood insurance policy holders in Terrebonne receive a 20% discount on National Flood Insurance Program (NFIP) flood insurance due to our Class 6 rating; and

**WHEREAS**, adopting the Flood Response Plan will enable the Parish to take advantage of additional points towards maintaining or increasing the flood insurance discounts earned through a coordinated response plan not available in 2010 due to the lack of adoption; and

**WHEREAS**, The Flood Response Plan provided here as Attachment A was developed by and is a part of the Terrebonne Parish Office of Homeland Security and Emergency Preparedness Emergency Response Plan here as Attachment B; and

**WHEREAS**, the content of this plan in combination with the Hazard Mitigation Plan adopted by council in 2015, the Storm Readiness Community status earned in 2013, and the OEP Emergency Operations Plan where applicable, will trigger Community Ratings System points to retain or improve the current flood insurance discounts; and

**WHEREAS**, the Parish CRS rating review will occur on August 30, 2016;

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council to adopt the Terrebonne Parish Flood Response Plan and associated documents in the current state as attached and as may be revised from time to time to better reflect Terrebonne policies and procedures.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

OFFERED BY: Mr. S. Dryden

SECONDED BY: Mr. S. Trosclair

**RESOLUTION NO. 16-383**

ADOPTING THE TERREBONNE PARISH MULTI-  
JURISDICTIONAL PROGRAM FOR PUBLIC  
INFORMATION.

**WHEREAS**, the Terrebonne Parish Consolidated Government is participating in the Community Ratings System (CRS) to reduce flood risks and lower flood insurance rates; and

**WHEREAS**, under the CRS program most flood insurance policy holders receive a 20% discount on National Flood Insurance Program (NFIP) flood insurance due to our Class 6 rating; and

**WHEREAS**, adopting the Flood Loss Outreach & Awareness Taskforce (FLOAT) Lake Pontchartrain, Louisiana Area CRS Users Group 2015 Floodplain and Stormwater Management Program for Public Information (PPI) can provide up to a 40% bonus of additional points towards maintaining or increasing the flood insurance discounts earned through a coordinated outreach on flood awareness, mitigation, and safety (see Attached); and

**WHEREAS**, the Parish has participated in a collaborative multijurisdictional drafting effort with participation from local nonprofits and insurance representatives thereby making them members of the PPI committee as well as other communities to share benefits and efforts; and

**WHEREAS**, the Parish retains maintains complete independence in the implementation of the plan for Terrebonne Parish; and



**WHEREAS**, adoption by the Council demonstrates commitment to sound floodplain management activities and to achieving the goals of the outreach projects outlined in the Multijurisdictional PPI.

**NOW, THEREFORE, BE IT RESOLVED**, by the Terrebonne Parish Council to adopt the FLOAT Lake Pontchartrain, Louisiana Area CRS Users Group 2015 Floodplain and Stormwater Management Program for Public Information.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

Ms. Lucretia McBride, a Houma resident, inquired about how the 2015 Floodplain Outreach Program reaches residents who are blind, partially blind and/or legally blind.

Upon questioning, Planning and Zoning Director C. Pulaski explained that if an individual is blind, legally blind and/or partially blind, provisions can be made at the Planning Office to help assist them with viewing the 2015 Floodplain and Stormwater Management Program.

Mr. S. Dryden moved, seconded by Mr. S. Trosclair, "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. S. Dryden.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Chairwoman declared the motion adopted and the meeting was adjourned at 7:00 p. m.

Dirk J. Guidry, Chairman

Tammy E. Triggs, Minute Clerk

Mr. D. J. Guidry moved, seconded by Mr. A. Marmande, "THAT, the Council accept and ratify the minutes of the Community Development and Planning Committee meeting held on 07/26/16."

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

**THERE WAS RECORDED:**

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

The Chairman called for a report on the Budget and Finance Committee meeting held on 07/26/16, whereupon the Committee Vice-Chairman noting ratification of minutes calls public hearings on August 10, 2016 at 6:30 p.m., rendered the following:

**BUDGET & FINANCE COMMITTEE**

JULY 26, 2016

The Vice-Chairman, Alidore Marmande, called the Budget & Finance Committee meeting to order at 7:02 p. m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by Committee member J. Navy and the Pledge of Allegiance led by Committee member S. Trosclair. Upon roll call, Committee Members recorded as present were: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden. A. Williams, G. Michel and C. Duplantis-Prather were recorded as absent. A quorum was declared present.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair, "THAT, the Budget and Finance Committee introduce an ordinance to declare as surplus the following twelve (12) tax properties adjudicated to the Terrebonne Parish Consolidated Government; to acquire authorization to dispose of said properties in accordance with LA R.S. 47:2196; and to call a public hearing on said matters on Wednesday, August 10, 2016 at 6:30 p.m.

1. 178 Carlos Street
2. 1533 Bonvillian Street
3. 512 Bayou Gardens Drive
4. 412 Ashlawn Street
5. 163 Orange Street
6. 2602 ½ Bryant Street
7. 124 Victor LeBoeuf Street
8. 6841 Shrimpers Row
9. 129 Marjorie Street
10. 128 Garth Drive
11. 1188 Highway 665
12. 113 Royal Street"

The Vice-Chairman called for the vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Vice-Chairman declared the motion adopted.

OFFERED BY: Mr. S. Trosclair  
SECONDED BY: Mr. D. J. Guidry

**RESOLUTION NO. 16-384**

AUTHORIZING THE PARISH PRESIDENT TO EXECUTE DNR COOPERATIVE ENDEAVOR AGREEMENT LAGOV NO. 2000197589 WITH THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES WITH RESPECT TO THE "TERREBONNE PARISH LOCAL COASTAL PROGRAM IMPLEMENTATION."

**WHEREAS**, the Parish Administration has recommended the approval of the continued agreement with the Louisiana Department of Natural Resources for the “Terrebonne Parish Local Coastal Program Implementation”; and

**NOW THEREFORE BE IT RESOLVED** that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Parish President, Gordon E. Dove, is hereby authorized and directed to execute DNR Cooperative Endeavor Agreement, LaGov No. 2000197589, between the Terrebonne Parish Consolidated Government and the Louisiana Department of Natural Resources for the “Terrebonne Parish Local Coastal Program Implementation.”

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

NAYS: None.

ABSTAINING: None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Vice Chairman declared the resolution adopted on this the 26th day of July 2016.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair, “THAT, the Budget & Finance Committee introduce an ordinance to amend the 2016 Adopted Operating Budget and Five-Year Capital Outlay and Budgeted Positions of the Terrebonne Parish Consolidated Government for the following items and to provide for related matters.

- I. Solid/Liquid Waste Property Tax Transfer, \$1,731,173
- II. Drainage, (\$1,083,948)
- III. Road & Bridge, (\$214,016)
- IV. Petit Caillou Lock Structure, \$350,000

and call a public hearing on said matter on Wednesday, August 10, 2016 at 6:30 p.m.”

The Vice-Chairman called for the vote on the motion offered by Mr. D. J. Guidry.

**THERE WAS RECORDED:**

YEAS:D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Vice-Chairman declared the motion adopted.

Mr. D. J. Guidry moved, seconded by Mr. S. Dryden, “THAT, there being no further business to come before the Budget & Finance Committee, the meeting be adjourned.”

The Vice-Chairman called for the vote on the motion offered by Mr. D. J. Guidry.

**THERE WAS RECORDED:**

YEAS: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Vice-Chairman declared the motion adopted and the meeting was adjourned at 7:06 p.m.

Alidore Marmande, Vice-Chairman

Tammy E. Triggs, Minute Clerk

Mr. A. Marmande moved, seconded by Mr. S. Dryden, “THAT, the Council accept and ratify the minutes of the Budget and Finance Committee meeting held on 07/26/16.”

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

**THERE WAS RECORDED:**

**YEAS:** C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

**NAYS:** None.

**ABSENT:** A. Williams.

The Chairman declared the motion adopted.

The Chairman called for a report on the Policy, Procedure and Legal Committee meeting held on 07/26/16, whereupon the Committee Chairman noting ratification of minutes called a public hearing on August 10, 2016 at 6:30 p.m., rendered the following:

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

**JULY 26, 2016**

The Chairman, Darrin W. Guidry, Sr., called the Policy, Procedure, & Legal Committee meeting to order at 7:08 p. m. in the Terrebonne Parish Council Meeting Room with an Invocation offered by Committee member S. Dryden and the Pledge of Allegiance led by Committee member D. J. Guidry. Upon roll call, Committee Members recorded as present were: D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden. A. Williams, G. Michel and C. Duplantis-Prather were recorded as absent. A quorum was declared present.

**OFFERED BY:** Mr. S. Dryden

**SECONDED BY:** Mr. D. J. Guidry

### **RESOLUTION NO. 16-385**

**WHEREAS**, the Terrebonne Parish Consolidated Government desires to lease the Civic Center premises to non-profit organizations for charitable gaming/fundraising events, and

**WHEREAS**, Louisiana State charitable gaming laws require the completion of a charitable gaming license application in order to be designated as a commercial lessor, and

**WHEREAS**, the said application requires information on Board of Directors and Stakeholders which does not apply to Terrebonne Parish Consolidated Government, and

**WHEREAS**, the Terrebonne Parish Consolidated Government and the Terrebonne Parish Council designates Civic Center personnel to complete the application and apply for commercial lessor status, and

**WHEREAS**, these changes will authorize the Civic Center to be approved by the State of Louisiana to lease the premises for said events, and

**NOW, THEREFORE BE IT RESOLVED** by the Terrebonne Parish Council (Policy, Procedure and Legal Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Civic Center Director is hereby authorized to execute a charitable gaming application for the Civic Center to become a commercial lessor with the Louisiana State Charitable Gaming office for use of fundraising events scheduled between July 1, 2016 and June 30, 2017.

**THERE WAS RECORDED:**

**YEAS:** D. W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy, and S. Dryden.

**NAYS:** None.

**ABSTAINING:** None.

ABSENT: C. Duplantis-Prather, A. Williams, and G. Michel.

The Chairman declared the resolution adopted on this the 26th day of July 2016.

Mr. D. J. Guidry moved, seconded by Mr. A. Marmande, "THAT, the Policy, Procedure and Legal Committee adopt a resolution authorizing the Parish President or his designee, to execute lease agreements for use of the Houma-Terrebonne Civic Center for charitable gaming/fundraising events during the period of July 1, 2016 to June 30, 2017.

Several committee members questioned whether or not the aforementioned types of lease will be a onetime event or reoccurring events; how many times a particular organization can use the facility for this purpose within a calendar year; and how the proceeds from this event to be distributed.

Upon questioning, Civic Center Director Janel Ricca explained that these types of events are not held often at the Civic Center, but that she has to comply with the Louisiana State Gaming Board regulations. She noted that when this agreement expires, it will not be renewed unless another organization or entity requests to hold this kind of event.

Mr. J. Navy offered a *substitute motion*, seconded by Mr. D. J. Guidry, "THAT, the Policy, Procedure and Legal Committee adopt a resolution authorizing the Parish President or his designee, to execute lease agreements for use of the Houma-Terrebonne Civic Center for charitable gaming/fundraising events during the period of July 1, 2016 to June 30, 2017 and limit the numbers of days per calendar year."

Discussion continued with several committee members questioning how the restrictions are going to be imposed on the non-profit organizations; noting that discretion and caution should be used when using the civic center for gaming functions; and adding that gaming and fundraising events are two different functions that are perceived differently.

Parish Attorney J. Hebert explained that the parish is not into the gaming business; that it is just leasing the building for a function; and that they have to comply with the state gaming laws. He suggested that a trial basis (waiting period), preferably six months, should be used when leasing the building for gaming events.

Chief Shirell Parfait Dardar, Chief of the Grand Caillou/Dulac Band of the Biloxi Chitimacha-Choctaw Tribe, explained that they are a legal non-profit group but they cannot support this measure because their constitution and bylaws prohibit gaming and that, in her opinion, it is addictive. She asked the committee members not to support this matter.

\*\*Mr. A. Marmande offered a *second substitute motion*, seconded by Mr. S. Trosclair, "THAT, the Policy, Procedure and Legal Committee defer Agenda Item 2 – Authorizing the Parish President or his designee, to execute lease agreements to lease the Houma-Terrebonne Civic Center for use of charitable gaming/fundraising events during the period of July 1, 2016 to June 30, 2017 for two weeks for additional discussion." (**SECOND SUBSTITUTE MOTION ADOPTED AFTER DISCUSSION**)

\*\*The Chairman called for the vote on the second substitute motion offered by Mr. A. Marmande.

THERE WAS RECORDED:

YEAS: D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Chairman declared the second substitute motion adopted.

Mr. S. Trosclair moved, seconded by Mr. A. Marmande, "THAT, the Policy, Procedure, & Legal Committee introduce an ordinance to establish Section 19-16 of Chapter 19, Offenses, Miscellaneous Law Enforcement Provisions, Article IV, Offenses of the Terrebonne Parish Code to provide for Terrebonne Courthouse/Government Tower Security by Regulation of Inspection, Unlawful Disruption, Intimidation and Retaliation, and call a public hearing on Wednesday, August 10, 2016 at 6:30 p.m."

The Chairman called for the vote on the motion offered by Mr. S. Trosclair.

THERE WAS RECORDED:

YEAS: D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

The Chairman declared the motion adopted

Ms. Lucretia McBride, a Houma resident, stated that she supports this legislation and wants to see some verbiage inserted that would protect officers when they are leaving and entering the police department.

Upon questioning, Parish Attorney J. Hebert stated that the aforementioned legislation was drafted to give more "teeth" to the standard operating procedure at the parish courthouse and/or the government towers. Mr. Hebert states that at this time the parish has very little authority when executing the current standard operating procedures; and noted that it is designed to include officers, individuals, etc.

Mr. S. Dryden moved, seconded by Mr. S. Dryden, "THAT, there being no further business to come before the Policy, Procedure, & Legal Committee, the meeting be adjourned.

The Chairman called for the vote on the motion offered by Mr. S. Dryden.

THERE WAS RECORDED:

YEAS: D.W. Guidry, Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and S. Dryden.

NAYS: None.

ABSENT: A. Williams, G. Michel and C. Duplantis-Prather.

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

Darrin W. Guidry, Sr., Chairman

Tammy E. Triggs, Minute Clerk

Mr. D. W. Guidry Sr. moved, seconded by Ms. C. Duplantis-Prather and Mr. D. J. Guidry, "THAT, the Council accept and ratify the minutes of the Policy, Procedure and Legal Committee meeting held on 07/26/16."

The Chairman called for a vote on the motion offered by Mr. D. W. Guidry Sr.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Ms. C. Duplantis-Prather moved, seconded by Mr. D. J. Guidry., "THAT, the Council approve the following street light list:

INSTALL 1 100 WATT STREET LIGHT (AND POLE, IF NEEDED) AT 502 BAYOU GARDENS DR.; SLECA; RLD #1; SCOTTY DRYDEN, DIST. 4.”

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Mr. D.J. Guidry moved, seconded by Mr. A. Marmande, “THAT, the Council open nominations for the one vacancy, due to a resignation on the Recreation District No. 4 Board, nominate Mr. John Silver, Mr. Nathan Trosclair, Mr. Coy Verdin and Mrs. Janie Trosclair; close nominations 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. D.J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Voting to appoint Mr. John Silver:

None

Voting to appoint Mr. Nathan Trosclair:

None

Voting to appoint Mr. Coy Verdin:

None

Voting to appoint Mrs. Janie Trosclair:

C. Duplantis-Prather

D. W. Guidry Sr.

A. Marmande

D. J. Guidry

S. Trosclair

G. Michel

S. Dryden

J. Navy

***A. Williams was recorded as absent.***

Council Minute Clerk K. Cologne announced the votes tallied for the one vacancy, due to a resignation on the Recreation District No. 4 Board and they were recorded as follows: zero (0) votes for Mr. John Silver, zero (0) votes for Mr. Nathan Trosclair, zero (0) votes for Mr. Coy Verdin and eight (8) votes for Mrs. Janie Trosclair.

The Chairman stated that, as per the above voice vote, Mrs. Janie Trosclair is appointed to serve a term on the Recreation District No. 4 Board.

Mrs. Janie Trosclair thanked the Council for this opportunity and stated that she is looking forward to working with the community.

Councilman A. Marmande and S. Trosclair thanked Mrs. Trosclair for her interest in serving on the Recreation District No. 4 Board.

Mr. S. Trosclair moved, seconded by Mr. D. J. Guidry, "THAT, the Council open nominations for the one expired term on the Recreation District No. 6 Board, nominate Ms. Marcia Ellender; close nominations and re-appoint Ms. Marcia Ellender to serve another term on said board."

The Chairman called for a vote on the motion offered by Mr. S. Trosclair.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Mr. D. W. Guidry Sr. moved, seconded by Ms. C. Duplantis-Prather, "THAT, the Council open nominations for the one expiring term on the TGMC Hospital Service District No. 1 Board, representing the Medical Society, accept Terrebonne Parish Medical Society's nominations of Dr. Irving Blatt, Dr. Peter Fail and Dr. Robert Gamble; close nominations 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. D.W. Guidry Sr.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Voting to appoint Dr. Irving Blatt:

None

Voting to appoint Dr. Peter Fail:

C. Duplantis-Prather

D. W. Guidry Sr.

A. Marmande

D. J. Guidry

S. Trosclair

G. Michel

S. Dryden

J. Navy

Voting to appoint Dr. Robert Gamble:

None

***A. Williams was recorded as absent.***

Council Minute Clerk K. Cologne announced the votes tallied for one vacancy, representing the Medical Society on the TGMC Hospital Service District No. 1 Board and they were recorded as follows: zero (0) votes for Dr. Irving Blatt, eight (8) votes for Dr. Peter Fail and zero (0) votes for Dr. Robert Gamble.



The Chairman stated that, as per the above voice vote, Dr. Peter Fail is appointed to serve a term on the TGMC Hospital Service District No. 1 Board, representing the Terrebonne Parish Medical Society.

Mr. D. W. Guidry Sr. moved, seconded by A. Marmande, “THAT, the Council open nominations for the one expiring term on the TGMC Hospital Service District No. 1 Board, representing the General Public, nominate Mr. Robert Picou, Ms. Jacqueline Spencer and Mr. Jeff Evans; close nominations 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. D.W. Guidry Sr.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Voting to appoint Mr. Robert Picou:

C. Duplantis-Prather

D. W. Guidry Sr.

A. Marmande

D. J. Guidry

S. Trosclair

G. Michel

S. Dryden

J. Navy

Voting to appoint Ms. Jacqueline Spencer

None

Voting to appoint Mr. Jeff Evans:

None

***A. Williams was recorded as absent.***

Council Minute Clerk K. Cologne announced the votes tallied for one vacancy, representing the General Public on the TGMC Hospital Service District No. 1 Board and they were recorded as follows: eight (8) votes for Mr. Robert Picou, zero (0) votes for Ms. Jacqueline Spencer and zero (0) votes for Mr. Jeff Evans.

The Chairman stated that, as per the above voice vote, Mr. Robert Picou is appointed to serve another term on the TGMC Hospital Service District No. 1 Board, representing the General Public.

Mr. Robert Picou thanked the Council for considering him for re-appointment to the TGMC Hospital Service District No. 1 Board.

Mr. D. W. Guidry Sr. moved, seconded by Ms. C. Duplantis-Prather, “THAT, the Council open nominations for the one expiring term on the TGMC Hospital Service District No. 1 Board, representing the Chamber of Commerce, accept Chamber of Commerce's nominations of Mr. Michael Bergeron, Mr. Michel Claudet and Mr. John Rogers; close nominations 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. D.W. Guidry Sr.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Voting to appoint Mr. Michael Bergeron:

C. Duplantis-Prather

D. W. Guidry Sr.

A. Marmande

S. Dryden

Voting to appoint Mr. Michel Claudet:

D. J. Guidry

G. Michel

J. Navy

Voting to appoint Mr. John Rogers:

S. Trosclair

***A. Williams was recorded as absent.***

Council Minute Clerk K. Cologne announced the votes tallied for one vacancy, representing the Chamber of Commerce on the TGMC Hospital Service District No. 1 Board and they were recorded as follows: four (4) votes for Mr. Michael Bergeron, three (3) votes for Mr. Michel Claudet and one (1) vote for Mr. John Rogers.

The Chairman stated that, as per the above voice vote, Mr. Michael Bergeron is appointed to serve a term on the TGMC Hospital Service District No. 1 Board, representing the Chamber of Commerce.

Mr. Michael Bergeron thanked the Council for the appointment to the TGMC Hospital Service District No. 1 Board.

Several council members congratulated Mr. Bergeron on his appointment and thanked all nominees for their interest on serving on the aforementioned board.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair, "THAT, the Council open nominations for the one vacancy on the Houma-Terrebonne Regional Planning Commission, nominate Ms. Gloria Kreamer Foret, Mr. Robbie Liner and Mr. Billy Hebert; close nominations 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. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Voting to appoint Ms. Gloria Kreamer Foret:

C. Duplantis-Prather

D. J. Guidry

S. Trosclair

S. Dryden

J. Navy

Voting to appoint Mr. Robbie Liner:

D. W. Guidry Sr.

A. Marmande

G. Michel

Voting to appoint Mr. Billy Hebert:

None

***A. Williams was recorded as absent.***

Council Minute Clerk K. Cologne announced the votes tallied for one vacancy on the Houma-Terrebonne Regional Planning Commission and they were recorded as follows: five (5) votes for Ms. Gloria Kreamer Foret, three (3) votes for Mr. Robbie Liner and zero (0) votes for Mr. Billy Hebert.

The Chairman stated that, as per the above voice vote, Ms. Gloria Kreamer Foret is appointed to serve a term on the Houma-Terrebonne Regional Planning Commission.

Ms. Gloria Kreamer Foret thanked the Council for the privilege to serve the people of Terrebonne Parish.

Councilwoman C. Duplantis-Prather congratulated Ms. Foret and thanked the two other applicants for their willingness to serve.

The Chairman announced the following vacancies, which he noted will be handled as per usual procedure:

- Fire District No. 10 Board: One vacancy due to resignation.

Under Agenda Item 8A - Announcements, Council members

- Councilwoman C. Duplantis-Prather encouraged every pet owner to have their pets spayed or neutered to help control the pet population and asked that if a stray animal is found, please contact the Animal Shelter at (985) 873-6709.
- Councilwoman C. Duplantis-Prather invited everyone to the Downtown Market held every Saturday from 8 a.m. to 12 noon at the Court Square.
- Councilwoman C. Duplantis-Prather invited everyone to attend the upcoming Neighborhood Watch Meetings: East Park next Tuesday at 6 p.m. at Cornerstone Church and Maple Street Association next Tuesday at 7 p.m. at Castalanos.
- Councilman A. Marmande personally thanked his friend and cousin Michael St. Martin for stepping-up and purchasing bullet proof vest for our law enforcement personnel.
- Councilman A. Marmande congratulated Attorney Jerri Smitko for her appointment to the Louisiana Department of Wildlife and Fisheries Commission.
- Councilman D. W. Guidry Sr. recognized the passing of late Constable Mr. Douglas Chauvin.
- Councilman D. W. Guidry Sr. wished fellow Councilman S. Trosclair a Happy Birthday.
- Councilman S. Trosclair sent his condolences out to the late Constable Mr. Douglas Chauvin's family.
- Councilman S. Trosclair thanked Vision Christian Church in Bourg for their donation of \$15,000 to the Sheriff's Office for bulletproof vests.
- Councilman S. Trosclair thanked Piranha Rentals for the donation of a bulletproof vest for his son who works for the Sheriff's Office.
- Councilwoman C. Duplantis-Prather thanked everyone for their support after her mother's passing.

- Councilman J. Navy thanked Vision Christian Center for their donation and challenged others to step forth with donations to purchase bulletproof vests for law enforcement officers.

Parish Attorney Jules Hebert explained that the Houma Courier wrote a new article which complemented the entire Parish Government for being innovative in trying to find solutions to fight crime.

Under Agenda Item 8B - Announcements, Parish President

- Congratulated the Finance Department for receiving the honor of a Certificate of Recognition for the Budget Preparation.
- The Parish is down \$345,884 on Administration cost compared from this year to last year.
- Administration and the Council cut 6 million dollars off of the budget and started a hiring and merit freeze to bring the budget back in line.

Mr. D. J. Guidry moved, seconded by Mr. S. Trosclair and Mr. S. Dryden, “THAT, the Council introduce an ordinance to approve an emergency ordinance adopted by the Terrebonne Parish Council on July 27, 2016, which ratified all resolutions as they refer to insurance premiums, brokers, consultants, and contracts for the year 2016; call a public hearing at 6:30 PM on August 10, 2016, and to provide for other related matters:

The Chairman called for a vote on the motion offered by Mr. D. J. Guidry.

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Parish Attorney Jules Hebert stated that the Council asked for a legal opinion regarding wake zones and speed limits, the opinion was rendered and will be sent tomorrow.

Ms. C. Duplantis-Prather moved, seconded by Mr. D. J. Guidry, “THAT, the Council approve the following Monthly Engineering Reports:

A. Duplantis Design Group, PC.”

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted.

Ms. C. Duplantis-Prather moved, seconded by Mr. S. Trosclair, “THAT, there being no further business to come before the Council the meeting be adjourned.”

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

THERE WAS RECORDED:

YEAS: C. Duplantis-Prather, D. W. Guidry Sr., A. Marmande, D. J. Guidry, S. Trosclair, J. Navy and G. Michel.

NAYS: None.

ABSENT: A. Williams.

The Chairman declared the motion adopted and the meeting adjourned at 8:11 p.m.

Kimberly Cologne, Minute Clerk

ATTEST:

/s/JOHN NAVY, CHAIRMAN  
TERREBONNE PARISH COUNCIL

ATTEST:

/s/VENTITA H. CHAUVIN, COUNCIL CLERK  
TERREBONNE PARISH COUNCIL