

PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN REGULAR SESSION
AUGUST 12, 2009

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

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

Mr. B. Hebert moved, seconded by Mr. A. Tillman, "THAT, the Council approve the Parish Bill List dated 8/12/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. B. Hebert and Mr. J. Cehan, "THAT, the Council approve the minutes of the Regular Council Session held on 7/8/09.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. B. Hebert.

SECONDED: Unanimously.

RESOLUTION NO. 09-380

WHEREAS, during times of economic uncertainty and governmental anxiety, it is important for the citizens of this nation to be reminded of the complex history of our great country and the many reasons why the residents of the United States of America are able to enjoy the freedoms that we possess, and

WHEREAS, in anticipation of July 4, 2009, a small group of patriotic individuals joined forces to organize the "Independence Day 2009" Patriotic Parade and Celebration to reiterate to citizens that freedoms are not necessarily free, and

WHEREAS, due to the tremendous effort of these gentlemen, along with the untiring support from friends and co-workers, the citizens of Terrebonne Parish were able to enjoy one of the finest patriotic and thoroughly entertaining July 4th events to be found in the state, and

WHEREAS, a record number of local citizens and visitors made the 2009 event an important part of their July 4 celebrations and used the fireworks exhibit and other entertainment as a means of enjoying the freedoms Americans have in a family oriented activity, and

WHEREAS, the organizers and their support staff are to be commended for their community service, for their hard work and, most of all, for their true sense of patriotism.

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

Dr. A J DelaHoussaye and the Staff of SEECA Lasik Center
Mr. C. J. Christ and the Regional Military Museum Volunteers
Mr. Martin Folse and the Staff of HTV

be commended for the hard work and dedication put forth in the preparation and coordination of the Independence Day 2009, July 4 Parade and Program.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 12th day of August, 2009.

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The Chairwoman recognized Dr. A. J. DelaHoussaye, SEECA Lasik Center, who thanked the Council and Parish President for the commendation and the cooperative efforts of everyone that helped with bringing the community together to celebrate the Fourth of July and the freedoms we have. He recognized and thanked his wife Melissa and Ms. Robin LeJaune for their support.

The Chairwoman recognized Mr. Wil Theriot, on behalf of Mr. C. J. Christ and the Regional Military Museum, who thanked the Council and Parish President for the commendation and everyone who worked on this community event that honored the veterans.

The Chairwoman recognized Mr. Martin Folse and the following staff members from HTV who offered their appreciation to the Council and Parish President for the commendation and support for the community event:

- Bryson Graham
- Joni Pitre
- Jessica Graham
- Jason Serigny
- Brad Pitre
- Christopher Carter
- Josh Porche
- Meghan Jones
- Michael Perri
- Stephon Robichaux
- Amanda O'Brien
- Kaye Arcement

OFFERED BY: Mr. J. Pizzolatto.
SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 09-381

A Resolution supporting the South Central Planning and Development Commission for their funding request to the United States Department of Transportation (USDOT) for funding through the Tiger Discretionary Grant Program.

WHEREAS, the South Central Planning & Development Commission is united by the Parishes of Assumption, Lafourche, St. Charles, St. James, St. John the Baptist, and Terrebonne in supporting improvements to LA 1, and

WHEREAS, \$1.5 billion of grant funds for state or local governments will be awarded by the Secretary of the USDOT through a competitive process to projects that have a significant impact on the Nation, a metropolitan area, or a region, and

WHEREAS, Priority will be given for projects that can be completed by February 17, 2012, and also that can complete a project's overall financing package, and

WHEREAS, the LA 1 Improvement Project has already received a Record of Decision dated January 2003 for environmental clearance for all phases of the project, and is in the process of completing acquisition of all necessary rights-of-ways and pre-construction geotechnical work, and

WHEREAS, the State of Louisiana and the U.S. Government have already invested over \$ 361 Million for constructing Phase 1 from Port Fourchon to northern Leeville, and

WHEREAS, Phase 2 is expected to cost \$330 Million and the South Central Planning and Development Commission in cooperation with the Louisiana Highway 1 Coalition is seeking \$300 million from the Tiger Discretionary Grant fund, and

WHEREAS, \$30 Million will be provided from various local and state funding sources including Outer Continental Shelf revenues deposited in the Louisiana Coastal Protection and Restoration Trust Fund, state formula funds, and through other various local funding sources, and

WHEREAS, it has been long established that the strategic significance of Port Fourchon to the Gulf Of Mexico is critical to supporting over 18% of the Nation's daily crude oil consumption and 27% of Nation natural gas consumption, and

WHEREAS, the accessibility of Port Fourchon is critical to servicing the oil and gas exploration and production facilities in the U.S Gulf of Mexico, and

WHEREAS, LA 1 provides sole highway access to Port Fourchon and Grand Isle and was designated a High Priority Corridor by the U.S. Congress in 2001 for its role as critical energy infrastructure

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby support the funding request submitted by the South Central Planning and Development Commission for construction funding of Phase 2 of the LA 1 Improvement Project to the United States Department of Transportation through the Tiger Discretionary Grant Program.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 12th day of August, 2009.

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Prior to the possible introduction of an ordinance to set millages, the Chairwoman recognized the following individuals who wished to speak on this topic.

The Chairwoman recognized Ms. Juanita Callegan, Peaceful Avenue resident, who expressed her opposition to the notice for the proposed increase in property millage tax and explained her reasoning why. She requested reconsideration of the proposed ordinance.

The Chairwoman recognized Ms. Stacy Hargnradner, Cavanass Drive resident, who expressed her concerns relative to the proposed property millage tax ordinance being very vague and not explaining what is being done and the taxpayers are unclear. She suggested that the proposed ordinance be tabled at this time. She also suggested that if taxpayers have to experience a cut in pay due to the economy that maybe government should look at cutting back also. She expressed her concerns relative to the cap and trade tax the Senate is trying to pass affecting taxpayers.

The Chairwoman recognized Ms. Kathy Burson, Ciera Park resident, who requested reconsideration of the proposed millage increases. She expressed her concerns relative to the decline in the value of homes in Houma and whether the decrease would be considered in the value of the property when the assessments are made. She recommended that the impact of the hurricanes on taxpayers, people of fixed incomes, cost of living, etc. be given consideration.

The Chairwoman recognized Mr. Reggie Bourg, Bourg resident, who expressed his concerns relative to the proposed increase in millages being interpreted by taxpayers as increased millage rates without voter approval. He requested further clarification of the ordinance's intent. Mr. Bourg also expressed his concerns relative to the recent meeting of the U.S. Corps of Engineers reform that did not include the Barrier Islands in the list of projects. He stated that it is his understanding that the Barrier Islands is not part of the State's Master Plan. He challenged the Council or the Terrebonne Levee District to look at the State's Master Plan and inform the public as to what whether the Barrier Island's are part of it.

Councilman K. Voisin explained the purpose for all the "ors" in the proposed ordinance is due to not all of the millage rates are changing. Most tax rates are staying the same, a couple is going down, and a small group is going up. He stated that, in his opinion, the public does not want to cut essential services such as roads and bridges, drainage, sewerage, mental health, Juvenile Detention, recreation, Council on Aging, Sanitation, Road Lighting Districts, City of Houma Fire and Police. He stated that the areas that are going up are the Road Lighting Districts and City of Houma Fire and Police, which are mission critical services. He recommended the matter of consolidating Road Lighting Districts be seriously considered again because, in his opinion, it could allow for savings of hundreds of thousands of dollars to TPCG.

Chief Financial Officer J. Elfert explained the following nine differences in millage rates being recommended:

- Two relate to the Sewer Bonds and the Road & Bridge Bonds – One will decrease by .13 and one will increase by .13 resulting in a net 0. The bond millages are calculated based on the debt service TPCG is mandated to pay, and the millage rates must be adjusted accordingly.
- Road Lighting District #3 – A millage increase of .13 from 2.92 mills to 3.75 is there is the ability to levy 7 mills, as previously authorized by the taxpayers. She stated this is one of the districts that had a surplus in the last two years where the mills were reduced and its being brought back up a little bit.
- Road Lighting District #5 – A 1 mill increase. The taxpayers authorized 7.85 and last year it was 4.77 mills were levied due to a surplus it was reduced and this year it is being brought back up to 5.77.
- Road Lighting District #6 – A decrease by .85 mills from 4.00 to 3.15.
- Road Lighting District #8 – A maximum of 4.81 is allowed and last year only 1.75 was levied and asking to go back up to 2.50 for a .75 increase in mills.
- Road Lighting District #9 – A maximum of 7.57 mills with last year's levy at 1 mill and requesting to go back up to 2 mills.

- City of Houma of Fire and Police – A maximum of 5.08, with last year’s levy at 4.80 and requesting to go back up 5.08, with an increase of .28.

Ms. Elfert further clarified that a couple of years ago, State law mandated that local governments announce to the public in a bold article in the newspaper in a very prominent section to allow the taxpayers to know that the Parish could adjust their millage to a higher rate after an appraisal year, which is what was done. She said that the notice is very generic and is the same announcement that is made by every taxing jurisdiction who could possibly have a roll forward. To adjust the millage more than what was approved by the Assessor’s Office last year when the properties were reappraised, and the governing body would have to approve the measure with a 2/3 affirmative vote. She stated that last year there were some roll forwards, but this year there are no roll forwards. She stated that the announcement in the newspaper is a precaution to inform that there could be an increase, but there will not be a roll forward. She stated that after the first announcement the proposed ordinance will be publicized that specifically details all the mills that will be levied.

Councilman B. Hebert stated that the current Council is very prudent about taxes and the expenditure of public funds.

Mr. J. Cehan moved, seconded by Mr. K. Voisin, “THAT, the Council introduce an ordinance to set the 2009 Property Tax Millages and call a public hearing on said matter on August 26, 2009 at 6:30 p.m.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. J. Pizzolatto, “THAT, it now being 6:40 p.m., the Council open public hearings at this time.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- A. A proposed ordinance authorizing the issuance of Public Improvement Refunding Bonds, Series ST-2009 of the Parish of Terrebonne and addressing other matters relative thereto

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The following ordinance, having been introduced at a duly convened meeting on July 22, 2009, notice of its introduction having been published on July 24, 2009, and a public hearing having been held on August 12, 2009, was offered for final adoption by Mr. Clayton J. Voisin and seconded by Mr. Kevin Voisin:

ORDINANCE NO. 7688

An ordinance authorizing the issuance of Public Improvement Refunding Bonds, Series ST-2009 of the Parish of Terrebonne, State of Louisiana; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal on such bonds and the application of the proceeds thereof to the refunding of certain bonds of said Parish; authorizing an agreement with the Paying Agent; providing for the employment of special bond counsel; and providing for other matters in connection therewith.

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

PROPOSITION

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

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

3. The avails or proceeds of the tax received by the Parish of Terrebonne, through its governing authority, shall be used for any lawful corporate purpose for which its governing authority may appropriate parish revenues and such avails or proceeds may be deposited in the general fund of the Parish?

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

PROPOSITION NO. 1

"Shall the Parish of Terrebonne, State of Louisiana, under the provisions of Article 6, Section 29 of the Louisiana Constitution of 1974, and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect a tax of one-fourth of one percent (1/4%) upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in said Parish, as presently defined in R.S. 47:301 through 47:317, with the avails or proceeds of said tax (after paying the reasonable and necessary costs of administering and collecting said tax) being dedicated and expended for the purpose of constructing, acquiring, extending and/or improving (a) hospital facilities for Terrebonne General Hospital, (b) sewers, sewerage disposal works and related facilities for pollution control and abatement, (c) a multi-purpose Civic and Community Center and related facilities, and (d) any other public works or capital improvements for said Parish or any portion thereof, including any necessary sites, equipment or furnishings therefor, and for the purpose of paying any bonds or debt obligations of said Parish issued for such purposes; and further shall the avails or proceeds of said tax and the avails or proceeds of the Police Jury's portion of the one percent (1%) parishwide sales and use tax now being levied and collected under the authority of Act 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 (such avails or proceeds of both taxes being hereinafter referred to as "tax proceeds") be subject to funding into negotiable bonds of said Parish to mature over a period of twenty (20) years from date thereof, to bear interest at a rate or rates not exceeding eight per centum (8%) per annum and to be issued in such principal amounts as may be required for the above stated purposes and payment of the costs of issuance of such bonds and providing a reserve for the payment thereof; provided, however:

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

purpose of constructing, acquiring and improving hospital facilities for Terrebonne General Hospital, including any necessary buildings, equipment, furnishings and sites therefor?"

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

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

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

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

WHEREAS, this governing authority desires to issue bonds payable from a pledge and dedication of the Issuer's portion of the avails or proceeds of the special one percent (1%) sales and use tax now being levied and collected, and the avails or proceeds of the special one-fourth of one percent (3%) sales and use tax now being levied and collected, all in accordance with Act No. 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 and Article VI, Section 29 of the Louisiana Constitution of 1974; and

WHEREAS, pursuant to the provisions of Sub-Part F, Part III, Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and special elections held on September 15, 1964 and October 27, 1979, the results of which was duly promulgated in accordance with law, the Issuer has heretofore issued (i) \$12,625,000 of Public Improvement Bonds, Series ST-1998A, of which \$9,505,000 is currently outstanding (the "Series 1998A Bonds"); and (ii) \$4,500,000 of Public Improvement Bonds, Series ST-2000, of which \$3,180,000 is currently outstanding (the "Series 2000 Bonds"); and

WHEREAS, in order to provide debt service reductions, the Issuer, acting through its governing authority, the Terrebonne Parish Council, has found and determined that the current refunding of \$9,505,000 of the Series 1998A Bonds consisting of those bonds maturing March 1, 2010 to March 1, 2018, inclusive and advance refunding of \$2,970,000 of the Series 2000 Bonds consisting of those bonds maturing March 1, 2011 to March 1, 2020, inclusive (collectively, the "Refunded Bonds"), pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act") and other constitutional and statutory authority, through the issuance of its refunding bonds; and

WHEREAS, the Issuer, by resolution adopted on March 25, 2009, gave preliminary approval of the issuance of not exceeding \$13,000,000 of its refunding bonds to refund the Refunded Bonds; and

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

- (i) the unrefunded \$210,000 of Public Improvement Bonds, Series ST-2000, maturing March 1, 2010 (the "unrefunded Series ST-2000 Bonds"),
- (ii) \$2,535,000 of Public Improvement Refunding Bonds, Series ST-2003, maturing March 1, 2010 to March 1, 2014, inclusive (the "Series ST-2003 Bonds");
- (iii) \$6,620,000 of Public Improvement Bonds, Series ST-2005, maturing March 1, 2010 to March 1, 2025, inclusive (the "Series ST-2005 Bonds"); and
- (iv) \$9,825,000 of Public Improvement Bonds, Series ST-2008, maturing March 1, 2010 to March 1, 2028, inclusive (the "Series ST-2008 Bonds") (collectively, the "Outstanding Parity Bonds"); and

WHEREAS, under the terms and conditions of the ordinances adopted by the governing authority of the Issuer authorizing the issuance of the Outstanding Parity Bonds (together, the "Parity Bond

Ordinance"), the Issuer has authority to issue refunding bonds on a complete parity with said Outstanding Parity Bonds under the terms and conditions provided therein; and

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

WHEREAS, the maturities on the hereinafter described Bonds have been arranged so that the total amount of principal and interest falling due in any year on the Bonds and the Outstanding Parity Bonds will never exceed 75% of the Issuer's portion of the proceeds of the aforesaid 1% tax and the aforesaid 1/4% tax estimated to be received by the Issuer in the calendar year (2009) in which the Bonds are to be issued (which amount is hereby estimated to be at least \$14,300,000, and will provide a coverage of at least 4.12 times the highest annual debt service on the Outstanding Parity Bonds and the Bonds being issued in any future calendar year); and

WHEREAS, it is further necessary to provide for the application of the proceeds of the Bonds to the refunding of the Refunded Bonds and to provide for other matters in connection with the payment or redemption of the Refunded Bonds; and

WHEREAS, in connection with the issuance of the Bonds, it is necessary that provision be made for the payment of the principal, interest and redemption premium, if any, of the Refunded Bonds described in Exhibit A hereto, and to provide for the call for redemption of the Refunded Bonds, pursuant to a Notice of Call for Redemption; and

WHEREAS, it is necessary that this Terrebonne Parish Council, as the governing authority of the Issuer, prescribe the form and content of an Escrow Deposit Agreement providing for the payment of the principal, premium and interest of the Refunded Bonds and authorize the execution thereof as hereinafter provided; and

WHEREAS, it is now desired to fix the details necessary with respect to the issuance of the Bonds and to provide for the authorization and issuance thereof, as hereinafter provided;

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

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

"Act" means Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended.

"Additional Parity Bonds" means any issue of additional *pari passu* bonds hereafter issued by the Issuer pursuant to Section 16 and payable from revenues the Taxes on a parity with the Bonds.

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

"Bond" or "Bonds" means the Issuer's Public Improvement Refunding Bonds, Series ST-2009, issued pursuant to this Bond Ordinance in the aggregate principal amount of \$11,850,000, and any bond of said issue, whether initially delivered or issued in exchange for, upon transfer of, or *in lieu* of any previously issued.

"Bond Counsel" shall mean an attorney or firm of attorneys whose experience in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized.

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

"Bond Register" means the registration books of the Paying Agent in which registration of the Bonds and transfers of the Bonds shall be made as provided herein.

"Bond Year" means the one year period ending on March 1 of each year, the principal payment dates for the Bonds.

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

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

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

"Defeasance Obligations" shall mean (a) cash, or (b) non-callable Government Securities.

"Escrow Agent" shall mean The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana, and its successor or successors, and any other person which may at any time be substituted in its place pursuant to the Bond Ordinance.

"Escrow Agreement" means the Escrow Deposit Agreement dated as of September 29, 2009 between the Issuer and the Escrow Agent, substantially in the form attached hereto as Exhibit B, as the same may be amended from time to time, the terms of which Escrow Agreement are incorporated herein by reference.

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

"Fiscal Year" means the twelve-month accounting period commencing on the first day of January 1 or any other twelve-month accounting period determined by the Governing Authority as the fiscal year of the Issuer.

"Governing Authority" means the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana.

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

"Interest Payment Date" means March 1 and September 1 of each year, commencing March 1, 2010

"Investment Obligations" means any investments or securities then permitted under Louisiana law, which law currently permits investment in the following obligations:

(a) Direct United States Treasury obligations, the principal and interest of which are fully guaranteed by the government of the United States;

(b) (i) bonds, debentures, notes or other evidence of indebtedness issued or guaranteed by federal agencies and provided such obligations are backed by the full faith and credit of the United States of America, which obligations include but are not limited to:

(aa) U.S. Export-Import Bank.

(bb) Farmers Home Administration.

(cc) Federal Financing Bank.

(dd) Federal Housing Administration.

(ee) General Services Administration.

(ff) Government National Mortgage Association--guaranteed mortgage-backed bonds and guaranteed pass-through obligations.

(gg) U. S. Maritime Administration--guaranteed Title XI financing.

(hh) U. S. Department of Housing and Urban Development.

(ii) Bonds, debentures, notes or other evidence of indebtedness issued or guaranteed by U. S. government instrumentalities, which are federally sponsored, and such obligations include but are not limited to:

(aa) Federal Home Loan Bank System.

(bb) Federal Home Loan Mortgage Corporation.

(cc) Federal National Mortgage Association.

(dd) Student Loan Marketing Association.

(ee) Resolution Funding Corporation.

(iii) Notwithstanding the foregoing list of investments, the Issuer shall not invest in obligations described in Items (i) and (ii) of this Subparagraph which are collateralized mortgage obligations that have been stripped into interest only or principal only obligations, inverse floaters or structured notes. For the purposes of this Item "structured notes" shall mean securities of U.S. government agencies, instrumentalities, or government sponsored enterprises which have been restructured, modified and/or reissued by private entities.

(c) Direct security repurchase agreements of any federal book entry only securities enumerated in subparagraphs (a) and (b). "Direct security repurchase agreement" means an agreement under which the political subdivision buys and holds obligations of any state of the United States of America or any political subdivision thereof or any agency, instrumentality or local government unit of any such state or political subdivision which shall be rated at the time of the investment in any of the three highest long-term Rating Categories or the highest short-term Rating Category by a Rating Agency.

(d) Time certificates of deposit of any bank domiciled or having a branch office in the state of Louisiana, savings accounts or shares of savings and loan associations and savings banks, as defined by R.S. 6:703 (16) or (17), or share accounts and share certificate accounts of federally or state chartered credit unions issuing time certificates of deposit. For those funds made available for investment in time certificates of deposit, the rate of interest paid by the banks shall be established by contract between the bank and the political subdivision; however, the interest rate at the time of investment shall be a rate not less than fifty basis points below the prevailing market interest rate on direct obligations of the United States Treasury with a similar length of maturity.

(e) Mutual or trust fund institutions which are registered with the Securities and Exchange Commission under the Securities Act of 1933 and the Investment Act of 1940, and which have underlying investments consisting solely of and limited to securities of the United States government or its Agencies.

(f) Funds invested in accordance with the provisions of subparagraph (d) above shall not exceed at any time the amount insured by the Federal Deposit Insurance Corporation in any one banking institution, or in any one savings and loan association, or National Credit Union Administration, unless the uninsured portion is collateralized by the pledge of securities in the manner provided in R.S. 39:1221.

(g) Guaranteed investment contracts issued by bank, financial institution, insurance company, or other entity having one of the two highest short-term rating categories of either Standard & Poor's Corporation or Moody's Investors Service, provided that no such investment may be made except in connection with a financing program for political subdivisions which financing program is approved by the State Bond Commission and offered by a public trust having the state as its beneficiary, provided further that no such investment shall be for a term longer than eighteen months, and provided further that any such guaranteed investment contract shall contain provision providing that in the event the issuer of the guaranteed investment contract is at any time no longer rated in either of the two highest short-term rating categories of Standard & Poor's Corporation or Moody's Investors Service, the investing unit of local government may either be released from the guaranteed investment provided collateralize the guaranteed investment contract with any bonds or other obligations which as to principal and interest constitute direct general obligations of, or are unconditionally guaranteed by, the United States of America, including obligations set forth in Subparagraphs (a) and (b) to the extent unconditionally guaranteed by the United States of America.

(h) Investment grade (A-1/P-1) commercial paper of domestic United States corporations.

(i) Investment of funds in such mutual or trust fund institutions shall be limited to twenty-five percent of the monies considered available for investment as provided by this Section. In no event shall monies be considered available for investment under the authority of this section unless and until such funds are determined by the treasurer or chief financial officer of said subdivisions, in the exercise of prudent judgment, to be in excess of the immediate cash requirements of the fund to which the monies are credited. As a criteria in making such a determination, any amount of money exceeding ten thousand dollars which is on demand deposit to the credit of a subdivision, or to the credit of any fund and which is not required to meet an obligation for at least forty-five days, or any amount of money exceeding one hundred thousand dollars which is on demand to the credit of a subdivision or to the credit of any fund and which is not required to meet an obligation for at least fifteen days shall be construed available for investment.

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

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

- a) Bonds theretofore cancelled by the Paying Agent or delivered to the Paying Agent for cancellation;
- b) Bonds for whose payment or redemption sufficient funds have been theretofore deposited with the Paying Agent in trust for the Owners of such Bonds as provided in Section 21, 22, 22, provided that, if such Bonds are to be redeemed, irrevocable notice of such redemption has been duly given or provided for pursuant to this Bond Ordinance, to the satisfaction of the Paying Agent, or waived;
- c) Bonds in exchange for or *in lieu* of which other Bonds have been registered and delivered pursuant to this Bond Ordinance; and
- d) Bonds alleged to have been mutilated, destroyed, lost or stolen which have been paid as provided in this Bond Ordinance.

"Outstanding Parity Bonds" means the Issuer's (i) unrefunded \$210,000 Public Improvement Bonds, Series ST-2000, maturing March 1, 2010; (ii) \$2,535,000 of Public Improvement Refunding Bonds, Series ST-2003, maturing March 1, 2010 to March 1, 2014, inclusive; (iii) \$6,620,000 of Public Improvement Bonds, Series ST-2005, maturing March 1, 2010 to March 1, 2025, inclusive; and (iv) \$9,825,000 of Public Improvement Bonds, Series ST-2008, maturing March 1, 2010 to March 1, 2028, inclusive.

"Outstanding Parity Bond Ordinance" means, collectively, the ordinances adopted by the Issuer on (i) October 20, 2000 authorizing the issuance of the Issuer's Series ST-2000 Bonds (ii) June 25, 2003, authorizing the issuance of the Issuer's Series ST-2003 Bonds, (iii) August 10, 2005, authorizing the issuance of the Issuer's Series ST-2005 Bonds and (iv) September 17, 2008, as supplemented on October 8, 2008, authorizing the issuance of the Issuer's Series ST-2008 Bonds.

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

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

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

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

"Purchaser" means Stephens, Inc. of Baton Rouge, Louisiana.

"Rating Agency" means each nationally recognized securities rating agencies then maintaining a rating on the Bonds or any future parity bonds at the request of the Issuer.

“Redemption Price” means, when used with respect to a Bond, the principal amount thereof plus the applicable premium, if any, payable upon redemption thereof pursuant to this Bond Ordinance.

“Refunded Bonds” means the Issuer's outstanding (i) \$9,505,000 of Public Improvement Bonds, Series 1998A, maturing March 1, 2010 to March 1, 2018, inclusive, and (ii) \$2,970,000 of Public Improvement Bonds, Series ST-2000, maturing March 1, 2011 to March 1, 2020, inclusive, which are being refunded by the Bonds, as more fully described in Exhibit A hereto.

"Reserve Fund Requirement" means, as of any date of calculation, a sum equal to the highest combined principal and interest requirements for any succeeding Fiscal Year on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds. After the Series ST-2003 Bonds and Series ST-2005 Bonds have been discharged by payment or defeasance, the Reserve Fund Requirement shall mean a sum equal to the lesser of (i) 10% of the proceeds of the Bonds, the Outstanding Parity Bonds and any issue of Additional Parity Bonds, (ii) the highest combined principal and interest requirements for any succeeding Fiscal Year on the Bonds, the Outstanding Parity Bonds, and any issue of Additional Parity Bonds hereafter issued in the manner provided by this Bond Ordinance or (iii) 125% of the average aggregate amount of principal installments and interest becoming due in any Fiscal Year on the Bonds, the Outstanding Parity Bonds and any Additional Parity Bonds.

“Reserve Product” means a policy of bond insurance, a surety bond or a letter of credit or other credit facility used in lieu of a cash deposit in the Reserve Fund meeting the terms and conditions of Section 11(c) hereof.

“Reserve Product Provider” means a bond insurance provider or a bank or other financial institution providing a Reserve Product, whose bond insurance policies insuring, or whose letters of credit, surety bonds or other credit facilities securing, the payment, when due, or the principal of and interest on bond issues by public entities, at the time such Reserve Product is obtained, result in such issues being rated in one of the two highest full rating categories by each of the Rating Agencies; provided, however, that nothing herein shall require the Issuer to obtain a rating on any Bonds issued under the Bond Ordinance.

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

“Sales Tax Resolutions” means the resolutions adopted by the Terrebonne Parish Police Jury on (i) October 14, 1964, as amended by resolution adopted on May 12, 1965 and (ii) February 25, 1981.

“State” means the State of Louisiana.

SECTION 2) Authorization of the Bonds and Escrow Agreement. (a) Pursuant to the provisions of the Act, and other constitutional and statutory authority, there is hereby authorized the incurring of an indebtedness of \$11,850,000 for, on behalf of and in the name of the Issuer, for the purpose of refunding the Refunded Bonds through the escrow of the proceeds of the Bonds, together with other available moneys of the Issuer, in Government Securities plus an initial cash deposit, in accordance with the terms of the Escrow Agreement, in order to provide for the payment of the principal of, premium, if any, and interest on the Refunded Bonds as they mature or upon earlier redemption as provided in Section 35 hereof.

(b) Provision having been made for the orderly payment until maturity or earlier redemption of the Refunded Bonds, in accordance with their terms, it is hereby recognized and acknowledged that as of the date of delivery of the Bonds under this Bond Ordinance, provision will have been made for the performance of all covenants and agreements of the Issuer incidental to the Refunded Bonds, and that accordingly, and in compliance with all that is herein provided, the Issuer is expected to have no future obligation with reference to the aforesaid Refunded Bonds, except to assure that the Refunded Bonds are

paid from the Government Securities and funds so escrowed in accordance with the provisions of the Escrow Agreement.

(c) The Escrow Agreement is hereby approved by the Issuer and the Executive Officers are hereby authorized and directed to execute and deliver the Escrow Agreement on behalf of the Issuer substantially in the form of Exhibit B hereof, with such changes, additions, deletions or completions deemed appropriate by such Executive Officers and it is expressly provided and covenanted that all of the provisions for the payment of the principal of, premium, if any, and interest on the Refunded Bonds from the special trust fund created under the Escrow Agreement shall be strictly observed and followed in all respects.

(d) The Bonds shall be in fully registered form, shall be dated September 29, 2009, shall be in the denomination of Five Thousand Dollars (\$5,000) each or any integral multiple thereof within a single maturity, shall be numbered consecutively from R-1 upward, shall bear interest from date thereof or the most recent Interest Payment Date to which interest has been paid or duly provided for, payable on March 1, 2010, and semiannually thereafter on March 1 and September 1 of each year, at the following rates of interest per annum, and shall become due and payable and mature serially on March 1 of each year as follows:

<u>Year</u> <u>(March 1)</u>	<u>Principal</u> <u>Payment</u>	<u>Interest</u> <u>Rate</u>
2010	\$340,000	2.00%
2011	1,190,000	2.00
2012	1,215,000	2.00
2013	1,250,000	3.00
2014	1,305,000	3.00
2015	1,350,000	4.00
2016	1,405,000	4.50
2017	1,480,000	4.50
2018	1,590,000	4.50
2019	355,000	3.75
2020	370,000	4.00

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

SECTION 3) Book Entry Registration of Bonds. The Bonds shall be initially issued in the name of Cede & Co., as nominee for The Depository Trust Company (“DTC”), as registered owner of the Bonds, and held in the custody of DTC. The Executive Officers or any other officer of the Issuer is authorized to execute and deliver a Blanket Letter of Representation to DTC on behalf of the Issuer with respect to the issuance of the Bonds in “book-entry only” format. The terms and provisions of said Letter of Representation shall govern in the event of any inconsistency between the provisions of this Resolution and said Letter of Representation. Initially, a single certificate will be issued and delivered to DTC for each maturity of the Bonds. The Beneficial Owners will not receive physical delivery of Bond certificates except as provided herein. Beneficial Owners are expected to receive a written confirmation of their purchase providing details of each Bond acquired. For so long as DTC shall continue to serve as securities depository for the Bonds as provided herein, all transfers of beneficial ownership interest will be made by book-entry only, and no investor or other party purchasing, selling or otherwise transferring beneficial ownership of Bonds is to receive, hold or deliver any Bond certificate.

Notwithstanding anything to the contrary herein, while the Bonds are issued in book-entry-only form, the payment of principal of, premium, if any, and interest on the Bonds may be payable by the Paying Agent by wire transfer to DTC in accordance with the Letter of Representation.

For every transfer and exchange of the Bonds, the Beneficial Owner (as defined in the Blanket Letter of Representation) may be charged a sum sufficient to cover such Beneficial Owner's allocable share of any tax, fee or other governmental charge that may be imposed in relation thereto.

Bond certificates are required to be delivered to and registered in the name of the Beneficial Owner under the following circumstances:

- (a) DTC determines to discontinue providing its service with respect to the Bonds. Such a determination may be made at any time by giving 30 days' notice to the Issuer and the Paying Agent and discharging its responsibilities with respect thereto under applicable law; or
- b) The Issuer determines that continuation of the system of book-entry transfer through DTC (or a successor securities depository) is not in the best interests of the Issuer and/or the Beneficial Owners.

The Issuer and the Paying Agent will recognize DTC or its nominee as the Bondholder for all purposes, including notices and voting.

Neither the Issuer or the Paying Agent are responsible for the performance by DTC of any of its obligations, including, without limitation, the payment of moneys received by DTC, the forwarding of notices received by DTC or the giving of any consent or proxy in lieu of consent.

Whenever during the term of the Bonds the beneficial ownership thereof is determined by a book entry at DTC, the requirements of this Resolution of holding, delivering or transferring the Bonds shall be

deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

If at any time DTC ceases to hold the Bonds, all references herein to DTC shall be of no further force or effect.

SECTION 4) Redemption of Bonds. The Bonds maturing March 1, 2020, and thereafter will be callable for redemption by the Issuer in full or in part at any time on or after March 1, 2019, at the principal amount thereof plus accrued interest to the date fixed for redemption.

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

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

SECTION 6) Form of Bonds. The Bonds and the endorsements to appear thereon shall be in substantially the form attached hereto as Exhibit C.

SECTION 7) Execution of Bonds. The Bonds shall be signed by the Executive Officers for, on behalf of, in the name of the Issuer and under the corporate seal of the Issuer, and the Legal Opinion Certificate shall be signed by the Clerk of the Governing Authority, which signatures may be either manual or facsimile.

SECTION 8) Registration of Bonds by Secretary of State and Paying Agent. (a) No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Bond Ordinance unless and until a certificate of registration on such Bond substantially in the form set forth in

Exhibit C hereto shall have been duly manually executed on behalf of the Paying Agent by a duly authorized signatory, and such executed certificate of the Paying Agent upon any such Bond shall be conclusive evidence that such Bond has been executed, registered and delivered under this Bond Ordinance.

(b) The Bonds shall also be registered with the Secretary of State of the State of Louisiana (which registration shall be by manual signature on the bonds issued upon original issuance of the Bonds and by facsimile signature on Bonds exchanged therefor) and shall have endorsed thereon the following:

"OFFICE OF SECRETARY OF STATE
STATE OF LOUISIANA
BATON ROUGE

Incontestable. Secured by a pledge and dedication of sales and use taxes in the Parish of Terrebonne, State of Louisiana. Registered this _____ day of _____, 2009.

Secretary of State"

SECTION 9) Recital of Regularity. This Governing Authority, having investigated the regularity of the proceedings had in connection with this issue of Bonds, and having determined the same to be regular, the Bonds shall contain the following recital, to-wit:

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

SECTION 10) Pledge of Tax Revenues. The Bonds, equally with the Outstanding Parity Bonds, shall be secured by and payable in principal and interest solely from an irrevocable pledge and dedication of the avails or proceeds of (i) the Issuer's portion (approximately 1/3) of the one percent (1%) sales and use tax now being levied and collected under the authority of Act No. 500 of the Regular Session of the Legislature of the State of Louisiana for the year 1964 pursuant to an election held on September 15, 1964, and (ii) the one fourth of one percent (1/4%) sales and use tax of the Issuer now being levied and collected under the authority of Article VI, Section 29 of the Louisiana Constitution of 1974, pursuant to an election held on October 27, 1979, after there have first been paid from the gross avails or proceeds of the Taxes the reasonable and necessary costs and expenses of collecting and administering the Taxes, all as more fully provided in the Ordinance providing for the levy and collection of the Taxes. Said net avails or proceeds be and they are hereby irrevocably and irrepealably pledged and dedicated in an amount sufficient for the payment of the Bonds and the Outstanding Parity Bonds in principal and interest as they shall respectively become due and payable, and for the other purposes hereinafter set forth in this Bond Ordinance. All of the avails or proceeds of the Tax shall be set aside in a separate fund, as provided herein and in the Outstanding Parity Bond Ordinance, and shall be and remain pledged for the security

and payment of the Bonds in principal and interest and for all other payments provided for in this Bond Ordinance until the Bonds shall have been fully paid and discharged.

SECTION 11) Flow of Funds. The Issuer by proper resolutions and/or ordinances, hereby obligates itself to continue to levy and collect the Taxes and not to discontinue or decrease or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, nor in any way make any change which would diminish the amount of the Revenues of the Taxes to be received by the Issuer until all of the Bonds and the Outstanding Parity Bonds have been paid as to both principal and interest. In order that the principal of and the interest on the Bonds and the Outstanding Parity Bonds will be paid in accordance with their terms and for the other objects and purposes hereinafter provided, the Issuer further covenants as follows:

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

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

- a) The maintenance of the "Capital Improvement Bond Sinking Fund" (hereinafter called the "Sinking Fund"), sufficient in amount to pay promptly and fully the principal of and interest on the Bonds, the Outstanding Parity Bonds, and any Additional Parity Bonds, in the manner provided by this Bond Ordinance, as they severally become due and payable, by transferring from the Sales Tax Fund, on or before the 20th day of each month of each year in addition to the amount required by the Parity Bond Ordinances a fractional amount of the principal of the Bonds falling due on the next principal payment date, whether by maturity or mandatory call, and a fractional amount of the interest falling due on the next Interest Payment Date, such fractions being equal to the number 1 divided by the number of months preceding such interest payment date or principal payment date, as the case may be, since the last interest or principal payment date, as the case may be, so that by making equal monthly payments the Issuer will always provide the necessary sums required to be on hand on each interest and principal payment date, together with such additional proportionate sum as may be required so that sufficient moneys will be available in the Sinking Fund to pay said principal and interest as the same respectively become due monthly in advance, on or before the 20th day of each. The regularly designated fiscal agent of the Issuer shall transfer from the Sinking Fund to the paying agent bank or banks for all bonds payable from the Sinking Fund, at least five (5) days in advance of the date on which payment of principal or interest falls due, funds fully sufficient to pay promptly the principal and interest so falling due on each such date.
- b) The maintenance of the Capital Improvement Bond Reserve Fund (hereinafter called the "Reserve Fund"), with the regularly designated fiscal agent of the Issuer. The money in the Reserve Fund is to be retained solely for the purpose of paying the principal of and the interest on the Bonds payable from the aforesaid Sinking Fund as to which there would be otherwise be default (except for certain earnings which may be owed to the United States pursuant to Section 148(f) of the Code). Upon delivery of the Bonds, there shall be deposited in the Reserve Fund an amount of proceeds of the Bonds sufficient to cause the balance in the Reserve Fund to be equal to the Reserve Fund Requirement. In the event that Additional Parity Bonds are issued hereafter in the manner provided by this Bond Ordinance, there shall be deposited into the Reserve Fund, from the proceeds of such Additional Parity Bonds and/or from the proceeds of the Taxes or from any other source provided by the Issuer, such additional amounts (as may be

designated in the ordinance authorizing the issuance of such Additional Parity Bonds) as will increase the total amount on deposit in the Reserve Fund within a period not exceeding five (5) years to a sum equal to the Reserve Fund Requirement.

- c) After the pledge of the Revenues of the Tax to the Outstanding Parity Bonds has terminated through the retirement of the Outstanding Parity Bonds, defeasement thereof, or otherwise, the Reserve Fund Requirement may be funded with cash or Investment Obligations, or one or more Reserve Products, or a combination thereof. Any such Reserve Product must provide for payment on any interest or principal payment date (provided adequate notice is given) on which a deficiency exists (or is expected to exist) in moneys held hereunder for payment of the principal of or interest on the Bonds due on such date which cannot be cured by funds in any other fund or account held pursuant to the Bond Ordinance and available for such purpose, and shall name the Paying Agent as the beneficiary thereof. In no event shall the use of a Reserve Product be permitted if it would cause any existing rating on any parity debt thereof to be lowered, suspended or withdrawn. If a disbursement is made from a Reserve Product as provided above, the Issuer shall be obligated to reinstate the maximum limits of such Reserve Product immediately following such disbursement from the first Revenues available pursuant to this Section or to replace such Reserve Product by depositing into the Reserve Fund, funds in the maximum amount originally available under such Reserve Product, plus amounts necessary to reimburse the Reserve Product Provider for previous disbursements under such Reserve Product, or a combination thereof. For purposes of this Section, amounts necessary to satisfy such Reimbursement Obligations of the Issuer to the Reserve Product Provider shall be deemed to be required deposits to the Reserve Fund, but shall be applied to satisfy the Reimbursement Obligations to the Reserve Product Provider.

If the Reserve Fund Requirement is funded in whole or in part with cash or Investment Obligations and no event of default shall have occurred and be continuing hereunder, the Issuer may at any time in its discretion, substitute a Reserve Product meeting the requirements of the Bond Ordinance for the cash and Investment Obligations in the Reserve Fund and the Issuer may then withdraw such cash and Investment Obligations from the Reserve Fund and deposit them to the credit of the Sales Tax Fund so long as (i) the same does not adversely affect any rating by a Rating Agency then in effect with respect to the parity debt, or any Series thereof, and (ii) the Issuer obtains an opinion of Bond Counsel to the effect that such actions will not, in and of themselves, adversely affect the exclusion from gross income of interest on the parity debt (if not Taxable Bonds) for federal income tax purposes.

Cash on deposit in the Reserve Fund shall be used (or investments purchased with such cash shall be liquidated and the proceeds applied as required) prior to any drawing on any Reserve Product. If more than one Reserve Product is deposited in the Reserve Fund, drawings thereunder shall be made on a pro rata basis, calculated by reference to the maximum amounts available thereunder.

Any Supplemental Ordinance may require a greater Reserve Fund Requirement or other obligations on behalf of Issuer with respect to the Reserve Fund.

If at any time it shall be necessary to use moneys in the Reserve Fund for the purpose of paying principal or interest on the Bonds, any other Outstanding Parity Bonds, obligations as to which there would otherwise be default, then the moneys so used shall be replaced from the revenues first thereafter received by the Sales Tax Fund, not hereinabove required to pay the expenses of collecting and administering the Tax or to pay current principal and interest requirements, it being the intention hereof that there shall be as nearly as possible at all times (after the payments contemplated by (c) above have been made) in the Reserve Fund an amount of money equal to the Reserve Fund Requirement.

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

then outstanding at prices not greater than the redemption prices of said Bonds or by retiring such Bonds at the prices and in the manner hereinbefore set forth in this Bond Ordinance.

All or any part of the moneys in the Reserve Fund shall at the written request of the Issuer be invested in direct obligations of the United States of America, maturing in five (5) years or less. The income on such funds shall be added to the Sales Tax Fund, provided that if the amount in the Reserve Fund at any time is less than the Reserve Fund Requirement, then any income derived from such investments in the Reserve Fund shall be retained in the Reserve Fund. Such investments shall, to the extent at any time necessary, be liquidated and the proceeds thereof applied to the purposes for which the respective funds are herein created.

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

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

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

SECTION 12) Issuer Obligated to Continue to Collect Taxes. The Issuer does hereby obligate itself and is bound under the terms and provisions of law to levy, impose, enforce and collect the Taxes and to provide for all reasonable and necessary rules, regulations, procedures and penalties in connection therewith, including the proper application of the proceeds of the Taxes, until all of the Bonds have been retired as to both principal and interest. Nothing herein contained shall be construed to prevent the Issuer from altering, amending or repealing from time to time as may be necessary this Bond Ordinance or any subsequent resolution or ordinance providing with respect to the Taxes, said alterations, amendments or repeals to be conditioned upon the continued preservation of the rights of the Owners with respect to the revenues from the Taxes. The Sales Tax Resolutions imposing the Taxes and pursuant to which the Taxes are being levied, collected and allocated, and the obligations to continue to levy, collect and allocate the Taxes and to apply the revenues therefrom in accordance with the provisions of this Bond Ordinance, shall be irrevocable until the Bonds have been paid in full as to both principal and interest, and shall not be subject to amendment in any manner which would impair the rights of the Owners from

time to time of the Bonds or which would in any way jeopardize the prompt payment of principal thereof and interest thereon. More specifically, neither the Legislature of Louisiana nor the Issuer may discontinue or decrease the Taxes or permit to be discontinued or decreased the Taxes in anticipation of the collection of which the Bonds have been issued, or in any way make any change which would diminish the amount of the Revenues of the Taxes pledged to the payment of the Bonds and received by the Issuer, until all of such Bonds shall have been retired as to both principal and interest.

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

SECTION 13) Covenants of the Issuer. In providing for the issuance of the Bonds, the Issuer does hereby covenant that it has a legal right to levy and collect the Taxes, to issue the Bonds and to pledge the revenues from the Taxes as herein provided, and that the Bonds will have a lien and privilege on the revenues of the Taxes subject only to the prior payment of the reasonable and necessary expenses of collecting and administering the Taxes.

SECTION 14) Bond Ordinance a Contract. The provisions of this Bond Ordinance shall constitute a contract between the Issuer and the Owner or Owners from time to time of the Bonds, and any Owner of any of the Bonds may either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required to be performed by the Governing Authority as a result of issuing the Bonds, and may similarly enforce the provisions of the Sales Tax Resolutions imposing the Taxes and this Bond Ordinance.

SECTION 15) Records and Accounts Relating to Taxes. So long as any of the Bonds are outstanding and unpaid in principal or interest, the Issuer shall maintain and keep proper books of records and accounts separate and apart from all other records and accounts in which shall be made full and correct entries of all transactions relating to the collection and expenditure of the revenues of the Taxes, including specifically but without limitation, all reasonable and necessary costs and expenses of collection.

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

SECTION 16) Issuance of Refunding and Additional Parity Bonds. The Bonds shall enjoy complete parity of lien on the revenues of the Tax despite the fact that any of the Bonds may be delivered at an earlier date than any other of the Bonds. The Issuer shall issue no other bonds or obligations of any kind or nature payable from or enjoying a lien on the revenues of the Tax having priority over or parity with the Bonds, except that bonds may hereafter be issued on a parity with the Bonds under the following conditions:

a) The Bonds or any part thereof, including interest thereon, may be refunded with the consent of the Owners thereof (except that as to Bonds which are then subject to redemption and have been properly called for redemption, such consent shall not be necessary) and the refunding bonds so issued shall enjoy complete equality of lien with the portion of the Bonds which is not refunded, if there be any, and the refunding bonds shall continue to enjoy whatever priority of lien over subsequent issues may have been enjoyed by the Bonds refunded, provided, however, that if only a portion of the Bonds outstanding is so refunded and the refunding bonds require total principal and interest payments during any bond year in excess of the principal and interest which would have been required in such bond year to pay the Bonds refunded thereby, then such Bonds may not be refunded without consent of the Owners of the unrefunded portion of the Bonds issued hereunder.

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

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

ii) The payments to be made into the various funds provided for in Section 11 hereof must be current;

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

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

SECTION 17) Fidelity Bonds for Officers and Employees. So long as any of the Bonds are outstanding and unpaid, the Issuer shall require all of its officers and employees who may be in a position of authority or in possession of money derived from the collection of the Tax, to obtain or be covered by a blanket fidelity or faithful performance bond, or independent fidelity bonds written by a responsible indemnity company in amounts adequate to protect the Issuer from loss.

SECTION 18) Amendments to Bond Ordinance. The Issuer may make amendments at any time which will cure ambiguities, correct format defects or add security to the payment of the Bonds. No material modification or amendment of this Bond Ordinance, or of any ordinance amendatory hereof or

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

SECTION 19) Mutilated, Destroyed, Lost or Stolen Bonds. If a) any mutilated Bond is surrendered to the Paying Agent, or the Issuer and the Paying Agent receive evidence to their satisfaction of the destruction, loss, or theft of any Bond, and b) there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and upon its request the Paying Agent shall register and deliver, in exchange for or *in lieu* of any such mutilated, destroyed, lost, or stolen Bond, a new Bond of the same maturity and of like tenor and principal amount, bearing a number not contemporaneously outstanding. In case any such mutilated, destroyed, lost, or stolen Bond has become or is about to become due and payable, the issuer in its discretion may, instead of issuing a new Bond, pay such Bond. Upon the issuance of any new Bond under this Section, the Issuer may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith. Every new Bond issued pursuant to this Section *in lieu* of any mutilated, destroyed, lost, or stolen Bond shall constitute a replacement of the prior obligation of the Issuer, whether or not the mutilated, destroyed, lost, or stolen Bond shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Bond Ordinance equally and ratably with all other Outstanding Bonds. The procedures set forth in the Agreement authorized in this Bond Ordinance shall also be available with respect to mutilated, destroyed, lost or stolen Bonds. The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Bonds.

SECTION 20) Discharge of Bond Ordinance. If the Issuer shall pay or cause to be paid, or there shall be paid to the Owners, the principal (and redemption price) of and interest on the Bonds, at the times and in the manner stipulated in this Bond Ordinance, then the pledge of the Tax or any other money, securities, and funds pledged under this Bond Ordinance and all covenants, agreements, and other obligations of the Issuer to the Owners of Bonds shall thereupon cease, terminate, and become void and

be discharged and satisfied, and the Paying Agent shall pay over or deliver all money held by it under this Bond Ordinance to the Issuer.

SECTION 21) Defeasance. Bonds or interest installments for the payment of which money shall have been set aside and shall be held in trust (through deposit of funds for such payment or otherwise) at the maturity date thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section. Bonds shall be deemed to have been paid, prior to their maturity, within the meaning and with the effect expressed above in this Section if they have been defeased with Defeasance Obligations pursuant to Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, or any successor provisions thereto.

SECTION 22) Events of Default. If one or more of the following events (in this Bond Ordinance called "Events of Default") shall happen, that is to say,

- i) if default shall be made in the due and punctual payment of the principal of any Bond when and as the same shall become due and payable, whether at maturity or otherwise; or
- ii) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable; or
- iii) if default shall be made by the Issuer in the performance or observance of any other of the covenants, agreements or conditions on its part in the Bond Ordinance, any supplemental ordinance or in the Bonds contained and such default shall continue for a period of thirty (30) days after written notice thereof to the Issuer by any Owner; or
- iv) if the Issuer shall file a petition or otherwise seek relief under any Federal or State bankruptcy law or similar law;

then, upon the happening and continuance of any Event of Default the Owners of the Bonds shall be entitled to exercise all rights and powers for which provision is made under Louisiana law.

SECTION 23) Successor Paying Agent; Paying Agent Agreement. The Issuer will at all times maintain a Paying Agent meeting the qualifications hereinafter described for the performance of the duties hereunder for the Bonds. The designation of The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana, as the initial Paying Agent is hereby confirmed and approved. The Issuer reserves the right to appoint a successor Paying Agent by a) filing with the Person then performing such function a certified copy of a resolution or ordinance giving notice of the termination of the Agreement and appointing a successor and a) causing notice to be given to each Owner. Every Paying Agent appointed hereunder shall at all times be a bank or trust company organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, and subject to supervision or examination by Federal or State authority. The Executive Officers are hereby authorized and directed to execute an appropriate Agreement with the Paying Agent for and on behalf of the Issuer in such form as may be satisfactory to said officers, the signatures of said officers on such Agreement to be conclusive evidence of the due exercise of the authority granted hereunder.

SECTION 24) Effect of Registration. The Issuer, the Paying Agent, and any agent of either of them may treat the Owner in whose name any Bond is registered as the Owner of such Bond for the purpose of receiving payment of the principal (and redemption price) of and interest on such Bond and for all other purposes whatsoever, and to the extent permitted by law, neither the Issuer, the Paying Agent, nor any agent of either of them shall be affected by notice to the contrary.

SECTION 25) Notices to Owners. Wherever this Bond Ordinance provides for notice to Owners of Bonds of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, first-class postage prepaid, to each Owner of such Bonds, at the address of such Owner as it appears in the Bond Register. In any case where notice to Owners of Bonds is given by mail, neither the failure to mail such notice to any particular Owner of Bonds, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Bond Ordinance provides for notice in any manner, such notice may be waived in writing by the Owner entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Owners shall be filed with the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 26) Cancellation of Bonds. All Bonds surrendered for payment, redemption, transfer, exchange or replacement, if surrendered to the Paying Agent, shall be promptly cancelled by it and, if surrendered to the Issuer, shall be delivered to the Paying Agent and, if not already cancelled, shall be promptly cancelled by the Paying Agent. The Issuer may at any time deliver to the Paying Agent for cancellation any Bonds previously registered and delivered which the Issuer may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Paying Agent. All cancelled Bonds held by the Paying Agent shall be disposed of as directed in writing by the Issuer.

SECTION 27) Preparation of Bonds; Deposit of Bond Proceeds. The Executive Officers are hereby empowered, authorized and directed to do any and all things necessary and incidental to carry out all of the provisions of this Bond Ordinance, to cause the necessary Bonds to be printed or lithographed, to issue, execute, seal and deliver the Bonds, to effect the delivery of the Bonds in accordance with the sale thereof, to collect the purchase price therefor, and to deposit the funds derived from the sale of the Bonds as follows:

1. Accrued interest shall be deposited in the Sinking Fund.
2. An appropriate deposit shall be made into the Reserve Fund in accordance with the provisions of Section 11 hereof.
3. The remaining Bond proceeds shall be deposited and used in accordance with the provisions of the Escrow Deposit Agreement.

The Executive Officer are hereby directed to transfer all funds required by the provisions of the Escrow Deposit Agreement.

SECTION 28) Arbitrage. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Code in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Bonds under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Bonds or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Bonds to be "arbitrage bonds" or would result in the inclusion of the interest on any of the Bonds in gross income under the Code, including, without limitation, a) the failure to comply with the limitation on investment of Bond proceeds or a) the failure to pay any required rebate of arbitrage earnings to the United States of America or a) the use of the proceeds of the Bonds in a manner which would cause the Bonds to be "private activity bonds". The Executive Officers are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

The Executive Officers of the Issuer are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Section.

SECTION 29) Publication; Peremption. A copy of this Bond Ordinance shall be published immediately after its adoption in one issue of the official journal of the Issuer. For a period of thirty (30) days from the date of such publication, any person in interest shall have the right to contest the legality of this Bond Ordinance and of the Bonds to be issued pursuant hereto and the provisions hereof securing the Bonds. After the expiration of said thirty (30) days, no one shall have any cause of right of action to contest the legality, formality or regularity of this Bond Ordinance or bond authorization, for any cause whatsoever. If the question of the validity of this Bond Ordinance or bond authorization is not raised within the thirty days, the authority to issue the Bonds and the regularity thereof, including all things pertaining to the election at which the Bonds were authorized, shall be conclusively presumed, and no court may inquire into such matters.

SECTION 30) Recordation. A certified copy of this Bond Ordinance shall be filed and recorded as soon as possible in the Mortgage Records of the Parish of Terrebonne, State of Louisiana.

SECTION 31) Section Headings. The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 32) Severability. In case any one or more of the provisions of this Bond Ordinance or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Bond Ordinance or of the Bonds, but this Bond Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein. Any constitutional or statutory provision enacted after the date of this Bond Ordinance which validates or makes legal any provision of this Bond Ordinance and/or the Bonds which would not otherwise be valid or legal, shall be deemed to apply to this Bond Ordinance and to the Bonds.

SECTION 33) Employment of Bond Counsel. It is recognized by the Governing Authority that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds and accordingly the employment of Foley & Judell, L.L.P., of New Orleans, Louisiana, as special bond counsel to the Issuer to do and perform comprehensive legal and co-ordinate professional work with respect to the issuance and sale of the Bonds, is hereby ratified and confirmed. The fees to be paid said attorneys shall be in accordance with the Attorney General's Guidelines for Fees and Services of Bond Attorneys, which fee for special bond counsel shall not exceed the amount calculated in accordance with the Attorney General's Guidelines for Comprehensive Legal Services in the issuance of revenue bonds, plus actual out-of-pocket expenses incurred in connection with the issuance of the Bonds, and shall be contingent upon the delivery of the Bonds. Bond Counsel shall also assist in the preparation of an Official Statement containing detailed and comprehensive financial and statistical data required with respect to the sale of the Bonds and the costs of the preparation, printing and distribution of such official statement shall be paid from the proceeds of the Bonds. Said Official Statement may be submitted to such nationally recognized bond rating service or services as may be recommended by bond counsel, together with a request that an appropriate rating be assigned. A certified copy of this Bond Ordinance shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated.

SECTION 34) Escrow Agent; Appointment and Acceptance of Duties. The Bank of New York Mellon Trust Company, N.A., in the City of Baton Rouge, Louisiana, is hereby appointed Escrow Agent. The Escrow Agent shall signify its acceptance of the duties and obligations imposed upon it by this Bond Ordinance by executing and delivering the Escrow Agreement. The Escrow Agent is authorized to file, on behalf of the Issuer, subscription forms for any Government Securities required by the Escrow Agreement. A successor to the Escrow Agent may be designated in the manner set forth in the Escrow Agreement.

SECTION 35) Call for Redemption. Subject only to the actual delivery of the Bonds, (i) \$9,505,000 principal amount of the Issuer's Public Improvement Bonds, Series ST-1998A, maturing March 1, 2010 to March 1, 2018, inclusive, are hereby irrevocably called for redemption on September

29, 2009, at a redemption price of 101% of the principal amount thereof and accrued interest to the redemption date and (ii) \$2,970,000 principal amount of the Issuer's Public Improvement Bonds, Series ST-2000, maturing March 1, 2011 to March 1, 2020, inclusive, are hereby irrevocably called for redemption on March 1, 2010, at a redemption price of 102% of the principal amount thereof and accrued interest to the redemption date.

SECTION 36) Notices of Redemption. In accordance with the ordinance authorizing the issuance of the Refunded Bonds, a notice of redemption in substantially the forms attached hereto as Exhibit D, shall be sent by the paying agent for the Refunded Bonds first class mail, postage prepaid, by notice deposited in the United States mails not less than thirty (30) days prior to the redemption date addressed to the registered owner of each Bond to be redeemed at his address as shown on the registration books of the Paying Agent.

SECTION 37) Continuing Disclosure Certificate. The Parish President and/or Chief Financial Officer are hereby empowered and directed to execute an appropriate Continuing Disclosure Certificate (substantially in the form set forth in Appendix H of the official statement issued in connection with the sale and issuance of the Bonds) pursuant to S.E.C. Rule 15c2-12(b)(5).

SECTION 38) Sale of Bonds. The Bonds are hereby awarded to and sold to the Underwriter at a price of \$12,218,167.05 [representing the par amount of the Bonds (\$11,850,000), minus Underwriters' Discount (.80%) of \$94,800.00, plus premium \$462,967.05,] plus accrued interest, and under the terms and conditions set forth in the Bond Purchase Agreement (hereinafter defined), and after their execution, registration by the Secretary of State and authentication by the Paying Agent, the Bonds shall be delivered to the Purchaser or their agents or assigns, upon receipt by the Issuer of the agreed purchase price. The Bond Purchase Agreement dated August 12, 2009, in substantially the form attached hereto as Exhibit E is hereby approved and the Executive Officers are hereby authorized, empowered and directed to execute the Bond Purchase Agreement on behalf of the Issuer and deliver or cause to be executed and delivered all documents required to be executed on behalf of the Issuer or deemed by them necessary or advisable to implement the Bond Ordinance or to facilitate the sale of the Bonds.

SECTION 39) Proceeds of Bonds. The Bond proceeds shall be applied, along with appropriate contributions from the Sinking Fund and the Revenue Fund to the payment of the principal, interest and premium on the Public Improvement Bonds, Series 1998A on the date fixed for redemption to the amounts required by the Escrow Agreement for the defeasance of the Public Improvement Bonds, Series 2000, and for the payment of all costs in connection with the authorization and issuance of the Bonds. Any surplus shall be applied to the purposes for which the Refunded Bonds were issued.

SECTION 40) Official Statement. The Issuer hereby approves the form and content of the Preliminary Official Statement dated May 19, 2009, and the Addendums dated July 14, 2009 and August

10, 2009, pertaining to the Bonds, as submitted to the Issuer, and hereby ratifies its prior use in connection with the sale of the Bonds. The Issuer further approves the form and content of the final Official Statement and hereby authorizes and directs the execution by the Executive Officers and delivery of such final Official Statement to the Underwriter for use in connection with the public offering of the Bonds.

SECTION 41) Effective Date. This Bond Ordinance shall become effective immediately.

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

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

NAYS: NONE.

ABSENT: NONE.

ABSTAINING: NONE.

And the ordinance was declared adopted on this 12th day of August, 2009.

EXHIBIT A Refunded Bonds
EXHIBIT B Escrow Agreement
EXHIBIT C Form of Bond
EXHIBIT D Redemption Notice
EXHIBIT E BPA

(In accordance with La. R.S. 39:1451(A) the Exhibits to this ordinance have not been published. These Exhibits are on file in the office of the Terrebonne Parish Council, 8026 Main Street, Government Tower, Suite 600, Houma, Louisiana, and are available for inspection during regular business hours weekdays, Monday through Friday.)

The Chairwoman recognized the public for comments on the following:

B. A public hearing on a request by U.S. Oil and Gas, Inc. for a permit to drill a salt water disposal well and to dispose of salt water therein

The Chairwoman recognized Mr. Scott Townsend, Gray resident, with Satoon Towing, who expressed the need to have an additional saltwater disposal well in Terrebonne Parish because at present there is only one. He stated there have been multiple times in the past when barges which went to the current well were not accepted which meant it had to be taken out of the Parish costing the customer more. He stated that when the well is operating at its maximum, there are no other options than to take it out of the parish.

The Chairwoman recognized Mr. William Clay Kimbrell, P.E., c.P.G., representing U. S. Oil and Gas, Inc., engineer and geologist from Baton Rouge, who stated that his firm prepared the permit application for the state and parish. He stated that these particular salt water wells are very reliable, have been used since at least the 1920/1930's. He explained the assembly of the well and how it works.

The Chairwoman recognized Mr. Lawrence Bland, Louisiana Department of Natural Resources, Injection and Mining Division, who responded to Councilman J. Pizzolatto's question by stating that the state inspects and tests salt water injection wells, as proposed, twice a year. He stated that the state allows a 500' distance from either the well or the facility boundary to any commercial or residential structure in the vicinity. He says however, the applicant could obtain a waiver from a structure that falls within the 500'.

Councilman A. Tillman expressed his concerns relative to the need to insure that concerns of the residents that would be affected by the proposed salt water disposal well be taken in consideration.

The Chairwoman recognized Mr. Scott Townsend, Gray resident, with Satoon Towing, who stated that the well would be permitted as a salt water disposal well and the only thing that will be disposed of is salt water, which does not meet the criteria of a hazardous substance. He stated that the mechanical integrity tests could be done more often.

Councilman K. Voisin stated there must be a reason for the 500' radius and the Council has to question whether residents want this type of operation in their back yard.

A lengthy discussion ensued relative to the proposed salt water disposal well and whether a variance should be granted to issue the permit due to the nonconformities of the Parish Code of locating in "any area within a one-mile radius of any structure.

The Chairwoman recognized Mr. Tommy Hebert, President of U.S. Oil & Gas, Inc., who explained that the proposed site is an industrial site that is equipped to handle trucks designed for commercial use, the Houma Navigation Canal is accessible to the site, it is not in a flood zone or a coastal zone and does not require a coastal permit.

The Chairwoman recognized Mr. Scott Townsend, Gray resident, with Satoon Towing, who stated that the Grand Bois site is an open area land form is totally different from a salt water injection well and should not be compared. He stressed how he cares about his employee's welfare, as well as the residents that would be affected, and would not put them in harm's way.

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

Mr. C. Voisin moved, seconded by Mr. K. Voisin, "THAT, the Council continue the public hearing on the request for a permit by U.S. Oil and Gas., Inc. for a permit to drill a salt water disposal well until 8/26/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: A. Tillman

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- C. A proposed ordinance to establish the Fire Protection District No. 8 Board as the autonomous governing authority for said district (Continued from 7/8/09 and 7/22/09)

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. A. Tillman.

ORDINANCE NO. 7689

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 11 SECTION 8-22(C) OF THE PARISH CODE TO PROVIDE FOR A BOARD OF COMMISSIONERS TO SERVE AS GOVERNING AUTHORITY FOR FIRE PROTECTION DISTRICT 8

WHEREAS, Louisiana Revised Statute 40:1495 grants the Terrebonne Parish Council the authority to serve as the governing body of a created Fire Protection District or to appoint a Board of Commissioners to serve as the governing body for the district; and

WHEREAS, Fire Protection District Number 8 has operated with the Fire Protection District Advisory Board providing information and recommendations to the Terrebonne Parish Council which serves as governing body for the District; and

WHEREAS, the Terrebonne Parish Council has determined that the Fire Protection District Number 8 would benefit from the creation of its own five member Board of Commissioners to serve as its autonomous governing body as provided by state law; and

WHEREAS, the Council wishes to provide for a Board of Commissioners to serve as the governing body for the Fire Protection District Number 8; and

NOW THEREFORE BE IT ORDAINED, by the Terrebonne Parish Consolidated Government that:

SECTION I

Chapter 8. FIRE PROTECTION AND PREVENTION, Article 11. Fire Protection Districts, Section 8-22(C) is hereby amended to read as follows:

Section 8-22. Powers, governing bodies.

(a) The fire protection districts shall constitute public corporations and political subdivisions of the state and shall have all rights, powers and privileges granted and conferred by the constitution and statutes of the state to such corporations, including the authority to incur debts, to issue bonds and to levy taxes.

(b) Except as otherwise provided in this section, the parish council shall be the governing authority for the fire protection districts.

(c) The governing authority for Fire Protection Districts No. 4A, No. 6, No. 7, No. 8, and No. 10 shall be a board of commissioners to be created for each such fire protection district, such board to be created, administered and governed by the provisions of R.S. 40:1491 et seq., as may be amended or supplemented by state law.

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.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 12th day of August, 2009.

* * * * *

Mr. K. Voisin moved, seconded by Mr. J. Pizzolatto, "THAT, the Council accept the following nominations for the newly established Fire District No. 8 Board as autonomous governing authority: Mr. Johnny Bush, Mr. Roosevelt Seymore, Mr. Mike Adams, Mr. Johnny Marks, Mr. Michael Anthony, Sr., and Ms. Tina Thibodeaux; that nominations be closed; and that a voice vote be taken to determine who will fill the five vacancies."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman called for a voice vote of the Council, whereupon the following was recorded:

JOHNNY BUSH ROOSEVELT SEYMORE

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

MIKE ADAMS JOHNNY MARKS

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

MICHAEL ANTHONY TINA THIBODAUX

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

The Chairwoman stated as per the aforementioned results, Mr. Johnny Bush, Mr. Roosevelt Seymore, Mr. Johnny Marks, Mr. Michael Anthony, and Ms. Tina Thibodeaux are appointed to the newly established Fire District No. 8 Board as autonomous governing authority.

The Chairwoman recognized the public for comments on the following:

D. A proposed ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement for the lease of Hazard Mitigation Grant Program (HMGP) property located at 1588 Highway 665 with Harold Summers

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: K. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. J. Cehan.

ORDINANCE NO. 7690

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT FOR LEASE OF PARISH PROPERTY BETWEEN TPCG AND HAROLD SUMMERS

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

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

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

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

WHEREAS, Harold Summers desires to lease the property subject to maintenance requirements and FEMA restrictions; and

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

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: K. Voisin.

The Chairwoman declared the ordinance adopted on this, the 12th day of August, 2009.

(In accordance with La. R.S. 44:31, the attachment to this ordinance is on file with the minutes of the Terrebonne Parish Council, 8026 Main Street, Government Tower, Suite 600, Houma, Louisiana, and is available for inspection during regular business hours, Monday through Friday.)

The Chairwoman recognized the public for comments on the following:

- E. A proposed ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement for the lease of Hazard Mitigation Grant Program (HMGP) property located at 608 Columbus Street with Margaret Castillo

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: C. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.
SECONDED BY: Mr. P. Lambert.

ORDINANCE NO. 7691

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT FOR LEASE OF PARISH PROPERTY BETWEEN TPCG AND MARGARET CASTILLO

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

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

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

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

WHEREAS, Margaret Castillo desires to lease the property subject to maintenance requirements and FEMA restrictions; and

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

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the ordinance adopted on this, the 12th day of August, 2009.

(In accordance with La. R.S. 44:31, the attachment to this ordinance is on file with the minutes of the Terrebonne Parish Council, 8026 Main Street, Government Tower, Suite 600, Houma, Louisiana, and is available for inspection during regular business hours, Monday through Friday.)

The Chairwoman recognized the public for comments on the following:

F. A proposed ordinance amending the 2009 Adopted Budget to fund a Pre-Demolition Program Management Service, utilizing available funds through the Federal Emergency Management Agency (FEMA) in the amount of \$199,008.00

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: C. Voisin

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. P. Lambert.

ORDINANCE NO. 7692

AN ORDINANCE TO AMEND THE 2009 ADOPTED BUDGET TO FUND THE PRE-DEMOLITION PROGRAM MANAGEMENT SERVICES, THROUGH AN AMENDED SERVICE CONTRACT WITH BECK DISASTER RECOVERY, INC. USING FUNDS AVAILABLE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

SECTION I

WHEREAS, the Department of Planning and Zoning has determined that approximately 650 structures are derelict and abandoned due to flood and wind damage, and

WHEREAS, an estimated \$199,008 is needed for the task of inspecting the properties, which is an eligible expense through the Federal Emergency Management Agency (FEMA).

NOW, THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Adopted Budget of the Terrebonne Parish Consolidated Government be amended to fund a pre-demolition program management service, using funds available through FEMA.

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

THERE WAS RECORDED:

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

NAYS: A. Williams.

ABSTAINING: None.

ABSENT: C. Voisin.

The Chairwoman declared the ordinance adopted on this, the 12th day of August, 2009.

ATTACHMENT A – PRE-DEMOLITION PROGRAM MANAGEMENT SERVICE

	2009		
	Adopted	Change	Amended
FEMA CONDEMNATIONS		199,008	199,008
FEMA REIMBURSEMENT	-	(199,008)	(199,008)

The Chairwoman recognized the public for comments on the following:

- G. A proposed ordinance to amend the Parish Code, Zoning Ordinance, Chapter 28, Article V, Section 28-91 Policy relative to planned building groups and Section 28-92 Conditions to be met by special plans for building groups

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

Mr. K. Voisin moved, seconded by Ms. T. Cavalier, “THAT, the Council close the aforementioned public hearing.” *(MOTION RECONSIDERED IMMEDIATELY AFTER VOTE.)

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: C. Voisin

The Chairwoman declared the motion adopted.

Councilman J. Cehan stated that he wanted to refer the matter the proposed ordinance to the Subdivision Review Advisory Committee for review and recommendation.

Council Clerk P. Labat stated that since the public hearing was closed, a motion to reconsider the motion to close could be placed on the floor and then the matter could be referred to the Subdivision Review Committee.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, “THAT, the Council reconsider the motion to close the aforementioned public hearing.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: T. Cavalier

ABSENT: None.

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, “THAT, the Council continue the public hearing until the Subdivision Review Advisory Committee reviews and makes a recommendation on the proposed ordinance to amend the Parish Code, Zoning Ordinance, Chapter 28, Article V, Section 28-91 Policy relative to planned building groups and Section 28-92 Conditions to be met by special plans for building groups.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: T. Cavalier

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

H. A proposed ordinance to amend the Human Resources Personnel Policy Manual, Section 12.1(E) with respect to “Emergency Pay”

The Chairwoman recognized Mr. Chris Stewart, Juvenile Detention Center Director of Staff Development & Programming employee, who explained the situation that took place with evacuating sixteen of the most violent and troubled juveniles last year when Hurricane Gustav approached the Parish. He explained he, along with three of his coworkers traveled over 300 miles for ten days to evacuate them to a safe place. He stated that during their stay there was very limited communications, all the different roles he had to assume and how extremely stressful the situation was. He requested that emergency pay be reviewed to make it fair across the board for all employees, even those who are salaried.

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7693

AN ORDINANCE AMENDING THE HUMAN RESOURCES PERSONNEL POLICY MANUAL, SECTION 12.1(E), "EMERGENCY PAY" TO PROVIDE FOR MULTIPLE EMERGENCY EVENTS AND TO PROVIDE FOR RELATED MATTERS.

WHEREAS, the Terrebonne Parish Consolidated Government's Human Resources Department maintains the Human Resources Personnel Policy Manual developed in accordance with the Terrebonne Parish Charter Section 4-10(d); and

WHEREAS, Section 4-10(e) of the Terrebonne Parish Charter provides that amendments to the Human Resources Personnel Policy Manual be adopted by ordinance; and

WHEREAS, in light of the extended emergency days period of 2008 which occurred in the aftermath of Hurricanes Gustav and Ike and the assistance of dedicated essential exempt employees; and

WHEREAS, essential exempt employees are generally required to work most government emergencies without the benefit of overtime or emergency pay; and

WHEREAS, Administration desires to amend Section 12.1(e) of the Human Resources Personnel Policy Manual to provide for additional annual leave for multiple emergency events for essential exempt employees; and

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

SECTION I

That Section 12.1(e), of the Personnel Policy Manual is amended to read as follows:

Section 12.1(E)

EMERGENCY DAY

E. Essential, exempt employees required to work or those exempt employees deemed essential and called into work will be compensated at a rate of one hour of annual leave for each hour worked, not to exceed eight (8) hours in a twenty-four hour period and not to exceed forty (40) hours/five (5) working days per emergency event declared pursuant to this section.

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 separable.

SECTION III

This ordinance shall become effective upon approval by the Parish President.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 12th day of August, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

- I. A proposed ordinance to dedicate and accept the maintenance/operation of the streets, drainage servitudes and rights-of-way for “Ferrantello Estates Subdivision” and to incorporate “Ferrantello Boulevard”, “Marsalise Street”, “Turner Street”, “Dana Lynn Street”, “Hailey Street”, and “Willene Street” into the Enhanced 911 Emergency Response System

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. A. Tillman.

ORDINANCE NO. 7694

AN ORDINANCE DEDICATING AND ACCEPTING THE MAINTENANCE/OPERATION OF THE STREET(S), DRAINAGE SERVITUDES, AND RIGHTS-OF-WAY FOR “FERRANTELO ESTATES SUBDIVISION” AND TO INCORPORATE “FERRANTELO BOULEVARD,” “MARSALISE STREET,” “TURNER STREET,” “DANA LYNN STREET,” “HAILEY STREET,” AND “WILLENE STREET” INTO THE ENHANCED 911 EMERGENCY RESPONSE SYSTEM FOR THE PURPOSE OF PROVIDING A BETTER MEANS OF LOCATING ADDRESSES; AND TO SET FORTH AN EFFECTIVE DATE FOR THE INCORPORATION OF STREET NAME(S), TO INFORM THE PROPER AGENCIES OF THE STREET NAME(S), AND TO AUTHORIZE THE INSTALLATION OF THE APPROPRIATE STREET SIGN(S), AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED that the Terrebonne Parish Council, on behalf of Terrebonne Parish Consolidated Government, dedicates and accepts the maintenance/operation of the street(s), drainage servitudes, and rights-of-way as depicted on a plat, prepared on May 14, 2008 by Acadia Land Surveying, L.L.C. titled “Ferrantello Estates,” a copy of which is attached hereto and made a part hereof;

BE IT FURTHER ORDAINED effective on the 19th day of August, 2009, that “Ferrantello Boulevard,” “Marsalise Street,” “Turner Street,” “Dana Lynn Street,” “Hailey Street,” and “Willene Street” be incorporated into the Enhanced 911 Emergency Response System;

BE IT FURTHER ORDAINED that a copy of this ordinance be submitted to the Terrebonne Parish Communications Board, local U.S. Postal Services, fire districts, Acadian Ambulance, Terrebonne Parish Sheriff’s Office, and any other appropriate agency; and

BE IT FURTHER ORDAINED that the Parish Forces be directed to install the proper street sign on the appropriate street, and that any other actions relative thereto be addressed.

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.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the ordinance adopted on this, the 12th day of August, 2009.

* * * * *

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. J. Pizzolatto and Mr. K. Voisin, “THAT, the Council deviate from the agenda to take agenda item 7B1 – Agriculture Facilities on the Air Base and contract with the Terrebonne Livestock and Agriculture Association out of order.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

The Chairwoman recognized Ms. Heidi Dupre, Savanne Road resident, whose ten-year old daughter, Anna Rose, is a horse riding competitor with the Terrebonne Livestock Association, and stressed how the children are able to compete because of the Association. She requested the Council to meet with the Livestock Board to find a resolution to the problem with the insurance.

The Chairwoman recognized Ms. Logan Brumfield, 2008/2009 Pee Wee Rodeo Queen at the Terrebonne Livestock Agricultural Fair Association, who expressed how important agriculture is to her life and many other members and their support from and for the Association.

She expressed her concerns for the negative effect taking away the Airbase Arena away from the Association.

The Chairwoman recognized Ms. Angelia Rogers, Member of the Terrebonne Livestock and Agriculture Fair Association, who stressed the benefits the kids get out of riding horses. She requested consideration of not only the large number of children involved in the organization, but also the large number who go to see an event, when making any decision in reference to the agricultural building on the Airbase.

The Chairwoman recognized Mr. Donovan Caro, President of Terrebonne Livestock Association, who expressed his concerns relative to how the organization came to be on the Council's agenda tonight. He stated that the organization received a letter from the Parish Attorney giving them fourteen days from receipt to respond to said letter. He said that the letter was identified "certified", however it was sent regular mail. He requested that a meeting take place between the Terrebonne Livestock Board and Parish Council to address the issues outlined in the attorney's letter and to come to resolution.

The Chairwoman recognized Ms. Beverly Teague, Terrebonne Livestock Association member, who expressed the youth and family sport the association provides to the community. She stated that many of the children began at the Airbase facility and have branched out their careers from there.

The Chairwoman recognized Ms. Christine Grems, coach for the Cajun Cowgirls and Cajun Cowbabes, who stated that these girls do intricate maneuvers on horseback to entertain at the rodeos. She stated that her daughter, who is now, 22 years old, is now traveling around the world, riding race horses. She stated the association provided such a positive experience and opportunity for her daughter that she decided to continue to give the same opportunity to other girls. She stressed the need for the Airbase arena and thanked the Council for their service to the Terrebonne Parish citizens.

The Chairwoman recognized Mr. Dale Lasseigne, Terrebonne Livestock Association Board Member and past-President, who explained that the Association is a non-profit organization and all proceeds go back to the children. He addressed the content of the letter from the Parish Attorney which pointed out areas of default with the contract. He requested the Council meet with the Board to resolve the matters of concern.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Council extend Mr. Dale Lasseigne's time an additional minute."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Mr. Dale Lasseigne continued his presentation and requested that Terrebonne Parish work with the Association to resolve the problem(s) to keep the children's dreams alive.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Terrebonne Livestock Association matter be referred to a committee comprised of a few Council Members, Parish President, Parish Manager, Risk Manager, President and some of the Livestock Association Members to review the contract and come to a formative agreement." *(MOTION VOTED ON AFTER DISCUSSION.)

Parish President M. Claudet explained that when the insurance matter came up it was realized that there was an obvious mistake in the required amount of insurance in the lease. He stated the letter was sent to the Association in hopes to meet with Administration to work towards an amendment to the lease to resolve the matter.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 09-382

A Resolution Authorizing The Parish President to sign a grant agreement between Terrebonne Parish Consolidated Government and the U.S. Department of Housing and Urban Development.

WHEREAS, the U.S. Department of Housing and Urban Development has allocated funds totaling \$507,405 for Homeless Prevention and Rapid-ReHousing Program (HPRP) pursuant to the provisions under the Homelessness Prevention Fund heading of Division A, Title XII of the American Recovery and Reinvestment Act of 2009, and

WHEREAS, there are families that are in need of Homeless Prevention Services and Permanent Housing Solutions in Terrebonne Parish and the HPRP funds address these needs, and

WHEREAS, The Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, is committed to providing assistance to those families in need of Homeless Prevention and Housing.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council on behalf of the Terrebonne Parish Consolidated Government does hereby authorize the Parish President to execute any and all grant agreements, certifications, and documents necessary between the Terrebonne Parish Consolidated Government and the U.S. Department of Housing and Urban Development upon approval of this agreement.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairwoman declared the resolution adopted on this, the 12th day of August, 2009.

* * * * *

The Chairwoman recognized Mr. James Sothern, Geology teacher at Fletcher Community College, who presented and explained a commentary report he prepared to give to his students, regarding subsidence in Terrebonne Parish may be slowing down. He also provided a copy of an outline he put together of the geologic history of Southeast Louisiana. He provided these reports to assist with Coastal Restoration efforts in Terrebonne Parish. He stated that he is working on a paper regarding Bayou Teche and will present it when it is complete.

Councilman C. Voisin requested that the reports presented by Mr. James Sothern be referred to the Natural Resources & Coastal Restoration Committee for further review.

Councilman B. Hebert stated that currently all the owners of the Barrier Islands are being researched to determine if the Parish could obtain the surface rights to be able to restore the islands.

Upon questioning by Councilman B. Hebert, Mr. James Southern explained measures that could possibly be done to put sand on the barrier islands.

Parish President M. Claudet stated that he and Administrative Staff met with Conoco/Phillips locally, who is the successor in interest to Louisiana Land & Exploration, regarding the barrier islands lease.

The Chairwoman recognized Ms. Wendy Jeffcoat, Executive Director of Kids in Motion (children's museum foundation) who explained the purpose and goals of the museum and requested support for this endeavor.

Mr. K. Voisin moved, seconded by Mr. A. Tillman, "THAT, the Council extend Ms. Wendy Jeffcoat's time an additional minute."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Chairwoman declared the motion adopted.

Ms. Wendy Jeffcoat continued her presentation requesting awareness and support of Kids in Motion Discovery Playhouse, LLC, children's museum.

Upon questioning by Chairwoman A. Williams, Ms. Jeffcoat stated that she does a proposed location on Martin Luther King Boulevard, but would like to have a more permanent location in the future. She stated that they are hoping to be open by the end of the year or beginning of next year.

Chairwoman A. Williams directed Ms. Jeffcoat to utilize the services of TEDA to help get the business started and offered her services with aspects she could help with. She also suggested that Mr. Jeffcoat make an appointment with the Parish President and Parish Manager to discuss possible assistance from TPCG.

The Chairwoman stated that Mr. Charles Bass, who was listed on the agenda to address the Council relative to 1) "commercial businesses illegally parking and trucking" and 2) fried chicken customers exit on Levron Street, asked to defer this matter to the next meeting.

The Chairwoman recognized Mr. Herdis Neil, Montegut resident, who provided a copy of statistics on injuries caused by fireworks. He expressed his concerns relative to the Council considering removing the prohibition of fireworks in Terrebonne Parish.

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

Mr. P. Lambert moved, seconded by Mr. J. Cehan, "THAT, the Council extend Mr. Herdis Neil's time an additional minute."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Mr. Herdis Neil continued his presentation regarding his concerns with the Council considering lifting the ban on fireworks in Terrebonne Parish.

Councilman K. Voisin stated that he doesn't believe that all the Council Members have indicated they want to lift the ban on fireworks, but there are enough people who purchase fireworks that they feel it is worth looking into.

Councilwoman A. Williams stated that the Council voted to send the fireworks issue to a committee to examine the pros and cons with respect to lifting a ban on fireworks.

The Vice-Chairman called for a report on the Budget & Finance Committee meeting held on 8/10/09, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearing on 8/26/09, then rendered the following:

BUDGET & FINANCE COMMITTEE

AUGUST 10, 2009

The Chairman, Billy Hebert, called the Budget & Finance Committee meeting to order at 5:31 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by J. Pizzolatto and the Pledge of Allegiance led by J. Cehan. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

Mr. Dan Toepfer of Bourgeois, Bennett LLC presented the 2008 Financial Audit of the Terrebonne Parish Consolidated Government noting:

- Compliance with State and Federal guidelines for grant proceeds.
- A repeat finding for Head Start in that the enrollment number fell below the minimum enrollment number established by the State. He added that there should be no findings in 2009 due to the State reducing the minimum enrollment number because the facility could not house the minimum number of children as required by Head Start.
- The Management Letter contained immaterial findings with respect to negative variances in the budget (State law requires that the actual budget falls within 5% of the budget – revenues cannot be less than 5% and expenditures cannot be more than 5% of the budget). He noted negative variances in some of the Road Lighting Districts and other non-major funds.
- The introductory letter contains background information on the Parish Government.
- The Audit Opinion is a clean opinion of the financial and all supplemental information.
- The MD&A comparison contains comparisons of the fluctuations between previous year budgets as prepared by the Finance Department.
- The Parish is in good financial shape; He expressed concern with respect to future funding of the Special Revenue Fund for Public Safety, the Road & Bridge Fund, and the Drainage Fund.

Mr. Toepfer noted that the Parish spent approximately \$18,000,000.00 as of December 31, 2008 on hurricane related matters; expended approximately \$14,000,000.00 in 2009 on hurricane related matters; and then recognized and thanked Mr. Ed Bouterie, Mrs. Candice Maldin, Mr. Bobby Howard, the Finance Department, and Administration for their assistance with the audit.

Mr. C. Voisin moved, seconded by Mr. J. Cehan and Mr. K. Voisin, "THAT, the Public Services Committee accept the 2008 Financial Audit of the Terrebonne Parish Consolidated Government as presented by Bourgeois, Bennett LLC."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

The Chairman recognized Ms. Juanita Callegan of Peaceful Avenue who expressed her opposition to increasing property tax millages due to the current economic state of the parish/country and suggested that Government review its budget rather increasing taxes.

Chief Finance Officer Jamie Elfert stated that Administration proposes nine changes in the millages from 2008 of which six of the changes include increases/adjustments as follows:

- Road Lighting District 3A - Voters approved 7 mills; only 2.9 mills was taxed in 2008 due to surplus revenue being utilized; in 2009, Administration requests a slight adjustment of .83 mills which brings the total taxed millage to 3.75.
- Road Lighting District 5 - Voters approved a 7.85 millage in 2008; only 4.77 mills were levied due to surplus revenue being utilized; in 2009, Administration requests an adjustment of 1 mill increasing the total millage to 5.77 mills.
- Road Lighting District No. 6 - Voters approved 4.8 mills; in 2009 Administration, requests an adjustment of 3.15 mills thereby reducing the mill by .85 mills.
- Road Lighting District No. 8 - Voters approved 4.81 mills; in 2009, Administration requests a increase of .75 mills; only 1.75 mills levied in 2008.
- City of Houma - New tax contract of 5.08 mills which begins in 2009 which is an increase of .28 mills for each tax;
- Sewerage and Road & Bridge – includes one bond increase of .13 mills and one bond reduction of .13 mills which results in a net zero offset.

Mrs. Elfert stated that the Council will introduce the proposed millage ordinance on Wednesday and that no action is required this evening.

Committee Member K. Voisin suggested consolidation of the road lighting districts in order to save money and improve efficiency. (NO ACTION TAKEN)

Mr. J. Cehan moved, seconded by Ms. A. Williams, “THAT, the Budget & Finance Committee introduce an ordinance to amend the 2009 Adopted Budget to provide funds for:

- Upper Ward 7 Levee Improvements - \$1,100,000.00
- Head Start Program - \$86,951.00

and call a public hearing on said matter on Wednesday, August 26, 2009 at 6:30 p.m.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-383

A Resolution introducing an Ordinance to declare vehicles, excavators, and other miscellaneous equipment from the Customer Service, Drainage, Head Start, Housing & Human Services,

Houma Police, Port Commission, Purchasing, Recreation, and Vegetation departments as surplus as described in the attached Exhibit "A" and authorizing said items to be disposed of by public bid, negotiated sale, junked or any other legally approved method.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby introduce an ordinance which will declare the attached Exhibit "A" as surplus and authorizes the Parish President to dispose of said items by public bid, negotiated sale, junked or any other legally approved method, and that a public hearing on said matter be called for Wednesday, August 26, 2009 at 6:30 o'clock p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-384

WHEREAS, on July 16, 2009 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 08-1/9-56 re-bid for the Purchase of Supplies for Various Departmental Use (Warehouse Inventory), and

WHEREAS, after careful review by the Purchasing Division and approved by Mary Crochet, Warehouse Manager, it has been determined that the bids of Corporate Supply in the amount of \$107.75, and Southern Office Supply in the amount of \$999.84, and Air Gas Safety in the amount of \$3,109.42, and Houma Distributors in the amount of \$13,971.10, and Economical Janitorial in the amount of \$37,153.71 are the lowest qualified bids on various items and the bid of Voorhies Supply will be rejected for just cause, and

WHEREAS, the Department of Finance has verified that funds are budgeted and available for said equipment, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bids of Corporate Supply, Southern Office Supply, Air Gas Safety, Houma Distributors, and Economical Janitorial are the lowest qualified bids for Bid No. 08-1/9-56 re-bid for the Purchase of Supplies for Various Departmental Use (Warehouse Inventory) as per the attached bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration is approved and the bids of Corporate Supply in the amount of \$107.75, and Southern Office Supply in the amount of \$999.84, and Air Gas Safety in the amount of \$3,109.42, and Houma Distributors in the amount of \$13,971.10, and Economical Janitorial in the amount of \$37,153.71 are the lowest qualified bids on various items and the bid of Voorhies Supply will be rejected for just cause, as per the attached bid forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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

RESOLUTION NO. 09-385

WHEREAS, on July 28, 2009 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 09-1/9-36 Purchase Correctional Institution Supplies (Warehouse Inventory), and

WHEREAS, after careful review by the Purchasing Division and approved by Mary Crochet, Warehouse Manager, it has been determined that the bid of Bob Barker Company in the total amount of \$5,542.98 is lowest qualified bid and the bid of Charm-Tex be rejected for just cause, and

WHEREAS, the Department of Finance has verified that funds are budgeted and available for said equipment, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bid of Bob Barker Company in the total amount of \$5,542.98 is lowest qualified bid and the bid of Charm-Tex be rejected for just cause for Bid No. 09-1/9-36 Purchase Correctional Institution Supplies (Warehouse Inventory) as per the attached bid forms.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Parish Administration is approved and the bid Bob Barker Company in the total amount of \$5,542.98 is lowest qualified bid and the bid of Charm-Tex be rejected for just cause, as per the attached bid forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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

RESOLUTION NO. 09-386

WHEREAS, on July 28, 2009, bids were received by the Terrebonne Parish Consolidated Government for Bid No. 09-ANSHL-32 Pre-Manufactured Office Building for Animal Shelter for the Animal Shelter Department, and

WHEREAS, after careful review by the Purchasing Division; Valerie Robinson, Animal Shelter Manager, Tom Bourg, Utilities Director, it has been determined that the bid of Quality Building Systems, Inc. is the lowest qualified bid for the amount of \$39,000.00, and

WHEREAS, the Department of Finance has verified that funds are budgeted and available for said delivery and installation of a pre-manufactured office building, and

WHEREAS, the Parish Administration has concurred with the recommendation that the bid of Quality Building Systems, Inc. is the lowest qualified bid for Bid No. 09-ANSHL-32 Pre-Manufactured Office Building for Animal Shelter for the Animal Shelter Department as per the attached bid forms.

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

recommendation of Parish Administration is approved and the bid Quality Building Systems, Inc. be accepted as the lowest qualified bid for the amount of \$39,000.00 be accepted as per the attached bid forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Council Clerk Paul Labat noted that Mrs. Lucretia McBride submitted an e-mail expressing her support of the aforementioned resolution.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09- 387

WHEREAS, bids (Bid Number 5000091404) were obtained by Jefferson Parish Purchasing Department for the purpose of purchasing automobiles and light trucks, and related items (Contract Numbers 55-00009956) and,

WHEREAS, after careful review by the John Daigle, Fleet Maintenance Superintendent, Carl Ledet, Superintendent and Gregory Bush, Public Works Director, it has been determined that the price of Thirty-Four Thousand, One Hundred Twenty Eight Dollars and Zero Cents (\$34,128.00) from Truck and Transportation for the purchase of two (2) Dump Truck Body Assembly should be accepted as per the attached documents and the under provisions set forth in the Louisiana Revised Statutes Titles 39:1701 et seq., and

WHEREAS, the Parish Finance Department has verified that funds are budgeted and available in the 2009 Account Number 252-351-8915-06 for the purchase of the aforementioned Dump Truck Body assembly, and

WHEREAS, the Parish Administration has recommended the acceptance of the prices for the aforementioned purchases from Truck and Transportation Equipment Co., Inc. at a cost of Thirty-Four Thousand, One Hundred Twenty-Eight Dollars and Zero Cents (\$34,128.00), as per the attached documents.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-388

WHEREAS, prices were obtained through the Louisiana State Commodity Catalog by the Terrebonne Parish Consolidated Government for the purpose of purchasing Stationary Type Generators for various departments under State Contract (408104), and

WHEREAS, after careful review by the Parish Administration it has been determined that the total purchase should not exceed One Hundred Thirty Thousand, Dollars (\$130,000.00) from Arcco Company Services, Inc. for the purchase of Stationary Type Generators should be accepted as per the State Contract Catalog, and

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

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned generator purchases at a total cost not to exceed of One Hundred Thirty Thousand Dollars (\$130,000.00) as per attached State Purchasing Contract Catalog.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

Purchasing Manager Angela Guidry stated that the generators would be placed at Houma Police Department, the Valhi Pump Station, and two will be placed at the Public Works Department – Public Works yard on Grand Caillou Road.

OFFERED BY: Mr. K. Voisin.

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

RESOLUTION NO. 09-389

WHEREAS, prices were obtained through the Louisiana State Commodity Catalog by the Terrebonne Parish Consolidated Government for the purpose of purchasing twenty (20) computers with software and one (1) server for the Terrebonne Parish Clerk of Courts Office under State Contract #403834, and

WHEREAS, after careful review by Mr. I. Robert Boudreaux, Clerk of Court it has been determined that the total price of Forty-seven Thousand, Six Hundred Twenty-four Dollars and Eighty-nine Cents (\$47,624.89) from Dell Marketing LP for the purchase of twenty (20) computers with software and one (1) server should be accepted as per the State Purchasing Contract Catalog, and

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

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned computer equipment purchase at a total cost of Forty-seven Thousand, Six Hundred Twenty-four Dollars and Eighty-nine Cents (\$47,624.89) for twenty (20) computers with software and one (1) server as per the attached State Purchasing Contract Catalog.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 09-390

A Resolution awarding Bid #09-1/9-45 Purchase of New/Unused Flood Barriers to Hesco Bastion USA in the amount of Four Hundred Twelve Dollars and Forty Eight Cents per unit (\$412.48) on an as needed basis.

WHEREAS, the term of this agreement shall be effective from the date of the notice of award and will be for six (6) months and shall be subject to one additional six (6) months renewal period provided there is no change in the terms, conditions, specifications and pricing structure unless mutually agreed to by both parties, and

WHEREAS, orders will be placed on a "AS NEEDED" basis, with quantities specified at the time of order placement, and

WHEREAS, Gregory Bush, Public Works Director has reviewed the bid received and recommends acceptance of the bid from Hesco Bastion USA, and

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

WHEREAS, based upon these supporting recommendations, Administration recommends the award of Bid #09-1/9-45 Purchase of New/Unused Flood Barriers to Hesco Bastion USA in the amount of Four Hundred Twelve Dollars and Forty Eight Cents (\$412.48) per unit, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, awards Bid #09-1/9-45 Purchase of New/Unused Flood Barriers to Hesco Bastion USA and that the Parish President and all other appropriate parties be, and they are hereby authorized to execute any and all contract documents associated therewith.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-391

WHEREAS, on April 9, 2008 bids were received for the purpose of providing Pharmaceutical Services and Supplies to the Terrebonne Parish Criminal Justice Department, and

WHEREAS, the contract was effective from July 1, 2008 for a period of one (1) year,

WHEREAS, as noted in the contract, Terrebonne Parish Consolidated Government may exercise an option to extend the bid for a three year (2) period in one (1) year increments at the same unit prices listed on the bidders quote sheet, as agreed by both parties.

WHEREAS, Diamond Pharmacy Services has agreed to extend the contract at the same unit prices for an additional (1) year term and,

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

WHEREAS, both parties have mutually agreed to extend the contract at a price of at the same unit prices for an additional one (1) year period,

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the Pharmaceutical Services and Supplies be extended for an additional one (1) year period at the same unit prices.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Committee Member A. Williams suggested that the Terrebonne Parish Sheriff's Office consider utilizing the NACo-sponsored Prescription Drug Discount Program in order to save on the cost of prescriptions.

Committee Member C. Voisin exited the proceedings at 5:56 p.m.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 09-392

WHEREAS, on July 21, 2008 proposals were received for the purpose of providing Guard Service to Various Parish Locations, and

WHEREAS, the contract was effective from August 18, 2008 for a period of one (1) year,

WHEREAS, as noted in the contract, Terrebonne Parish Consolidated Government may exercise an option to extend the bid for two (2) additional years in one (1) year increments at terms that are mutually agreeable by both parties.

WHEREAS, Vinson Guard Service, Inc. has agreed to extend the contract at a price of \$11.05 per hour for an additional (1) year term and,

WHEREAS, the Parish Administration wishes to extend the prices at \$11.05 per hour for an additional one (1) year, and

WHEREAS, both parties have mutually agreed to extend the contract at a price of \$11.05 per hour for an additional one (1) year period,

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the Annual Contract for Guard Service to be extended for an additional one (1) year period at a price of \$11.05 per hour.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: A. Tillman.

NOT VOTING: None.

ABSENT: C. Voisin.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Purchasing Manager Angela Guidry explained that Terrebonne Ford Motor was unable to provide the F450 pick-up truck as requested and that Administration requests rescinding the previously adopted resolution and authorizing approval to “piggy-back” on Jefferson Parish’s contract with Larmarque Ford for the purchase of the F450 pick-up truck.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-393

A resolution to rescind Resolution No. 09-276 due to Terrebonne Ford being unable to supply the vehicle needed as per the recommendation of Administration.

WHEREAS, Resolution No 09-276 awarded Terrebonne Ford for the purchase of a 2009 Ford 350 Cab & Chassis, and

WHEREAS, after careful review by the appropriate parties and the Parish Administration, it has been determined that Lamarque Ford can provide the 2009 Ford 350 Cab & Chassis and Truck and Transportation Equipment Co., Inc. can provide the Dump Body Assembly, and

WHEREAS, it has it has been determined by the Parish Administration that it is in the best interest to the Parish to award Lamarque Ford for the purchase of one (1) 2009 Ford 350 Cab & Chassis for the price of Twenty-Nine Thousand, One Hundred Nine Dollars (\$29,109.00) and that the price of Eighteen Thousand, Four Hundred Sixty One Dollars (\$18,461.00) from Truck and Transportation Equipment Co., Inc. for the purchase of one (1) Dump Body Assembly should be accepted as per the attached documents under provisions set forth in the Louisiana Revised Statues Titles 39:1710 and 39:1701 et seq., and

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

WHEREAS, the Parish Administration now wishes to rescind Resolution No. 09-276 and adopt the above information for the award of the Cab & Chassis and Dump Body Assembly as per the attached quotes.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved; that Resolution No. 09-276 be hereby rescinded; and that the quotes of Lamarque Ford and Truck and Transportation Equipment Co., Inc. be accepted as per the above listed quote amounts.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: C. Voisin.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Mr. J. Cehan moved, seconded by Mr. A. Tillman, "THAT, there being no further business to come before the Budget & Finance Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: C. Voisin.

The Chairman declared the motion adopted and the meeting was adjourned at 5:58 p.m.

Billy Hebert, Chairman

Suzette Thomas, Minute Clerk

Mr. B. Hebert moved, seconded by Mr. K. Voisin, "THAT, the Council accept and ratify the minutes of the Budget & Finance Committee held on 8/10/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

The Vice-Chairman called for a report on the Policy, Procedure, & Legal Committee meeting held on 8/10/09, whereupon the Committee Chairman, noting that ratification of minutes calls a public hearing on 8/26/09, rendered the following:

POLICY, PROCEDURE, & LEGAL COMMITTEE

AUGUST 10, 2009

The Chairman, Clayton J. Voisin, called the Policy, Procedure, & Legal Committee meeting to order at 6:07 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by T. Cavalier and the Pledge of Allegiance led by P. Lambert. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

Ms. A. Williams moved, seconded by Mr. J. Cehan, "THAT, the Policy, Procedure, & Legal Committee co-sponsor the Red Ribbon Walk on October 24, 2009."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. A. Tillman, "THAT, the Policy, Procedure, & Legal Committee co-sponsor the annual celebration of Angels All Around Us at Dumas Auditorium."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-394

A resolution authorizing the Parish President to execute a Memorandum of Understanding (MOU) with Nicholls State University and the Terrebonne Parish Consolidated Government (TPCG) on behalf of the Houma Fire Department.

WHEREAS, the Terrebonne Parish Consolidated Government's Houma Fire Department is desirous of a safe place for our emergency response employees and,

WHEREAS, Nicholls State University agrees to allow TPCG to stage approximately five (5) trucks and ten (10) to fifteen (15) other emergency response vehicles at a location on the Nicholls State University campus during an emergency arising from the impact of a hurricane and,

WHEREAS, Nicholls State University also agrees to provide shelter for approximately thirty-five (35) emergency response personnel for up to forty-eight (48) hours at a location on the Nicholls State University campus during an emergency arising from the impact of a hurricane.

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 Parish President, Michel H. Claudet, is hereby authorized to execute a Memorandum of Understanding with Nicholls State University on behalf of the Houma Fire Department for the purpose of provisions of a staging area on their campus for our emergency response employees and equipment during an emergency arising from the impact of a hurricane.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

Committee Member J. Cehan informed the Committee of conversations he has had with the Sherriff and Chief of Police regarding the possibility of rescinding prohibitions on the sale and use of fireworks in Terrebonne Parish and then requested consideration of repealing the legislation.

Sheriff Vernon Bourgeois stated that after speaking with business owners and fire fighters, it was determined that there were more negatives than positives for reinstating the sale and use of fireworks in Terrebonne Parish. He then noted that additional consideration would be given to methods of increasing enforcement efforts to curb the illegal use of fireworks in Terrebonne Parish.

Mr. Herdis Neil of T-Beb Street noted previous efforts and statistics with respect to prohibiting the use of fireworks in Terrebonne Parish due to the potential hazards posed by the use.

Committee Member A. Williams requested discussion of the matter relative to solving enforcement issues pertaining to the use of fireworks since it is hard to enforce current legislation.

Ms. A. Williams moved, seconded by Mr. A. Tillman, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to fireworks regulations in committee for thirty days." (**MOTION AMENDED AFTER DISCUSSION)

Sheriff Bourgeois noted that there are several issues involved in regulating the use of fireworks and suggested possibly implementing age restrictions on the use of fireworks.

Discussion transpired relative to the inability to monitor the use of fireworks in addition to potential fire hazards.

Ms. A. Williams offered an *amendment*, seconded by Mr. A. Tillman, "THAT, the Policy, Procedure, & Legal retain the matter relative to fireworks in committee for thirty days and create a committee consisting of Councilwoman A. Williams, Councilman A. Tillman, Councilman J. Cehan, and representatives from the Terrebonne Parish Sheriff's Office, Houma Police Department, Fire Department, District Attorney's Office, Fire Chief's Association, and the Public Safety Advisory Board to discuss the matter."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the *amended* motion adopted.

Mardi Gras Safety Advisory Committee Chairman Gary Beeson presented a recommendation from the Advisory Committee with respect to establishing a minimum membership quota for all Mardi Gras krewes. He noted problems with limiting the number of riders on a float due various reasons which may decrease the ridership on a float.

Mr. A. Tillman moved, seconded by Ms. A. Williams, "THAT, the Policy, Procedure, & Legal Committee table, indefinitely, the matter relative to establishing ridership/membership maximums per organization/krewe or float." (**SUBSTITUTE MOTION OFFERED AND ADOPTED AFTER DISCUSSION)

In response to questioning, Mr. Beeson stated that it is difficult to determine how many people can ride on a float and noted that the recommendation from the Advisory Committee is only a recommendation that was requested by the Council.

Terrebonne Parish Sheriff Vernon Bourgeois noted that all of the carnival krewes were present at the meeting to devise a recommendation with respect to ridership with the exception of the Krewe of Mardi Gras. He suggested that a limitation be established for the number of riders not the number of members and noted security concerns with respect to the placement of law enforcement vehicles along the parade route.

Mr. J. Pizzolatto offered a *substitute* motion, seconded by Mr. B. Hebert, "THAT, the Policy, Procedure, & Legal Committee introduce an ordinance to amend the Parish Code to require a minimum of 200 paid members per carnival krewe and call a public hearing on said matter on August 26, 2009 at 6:30 p.m." (**SUBSTITUTE MOTION ADOPTED AFTER DISCUSSION)

Parish Attorney Courtney Alcock stated that Parish has the authority to regulate parades via the issuance of permits; but does not have the authority to regulate krewes membership

because they are private entities. She continued that the Parish has the authority to regulate the use of public streets and the amount of law enforcement personnel along parade routes.

Discussion continued with respect to establishing criteria to establish minimum krewe membership/ridership, to addressing the Council's request, and to provide adequate law enforcement presence in the parades.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: A. Tillman, K. Voisin, and A. Williams.

The Chairman declared the motion adopted.

Planning & Zoning Director Patrick Gordon presented a power point presentation on the Parish's Nuisance Abatement Regulations which were created to protect and provide for the public health, safety, and general welfare of the citizens of the Parish; to ensure a healthful living environment through abatement of noxious, derelict structures, accumulation of trash, garbage, junk, vehicles, abandon vessels, and other unsanitary conditions that are a menace to the health of the people residing in the vicinity; and to eliminate the conditions that are conducive to the harbor of rats, mice, snakes, and other vermin. He then explained the process of addressing nuisance violations; defined tall grass and the criteria for citing such; noted a significant number of complaints and inspections this year; added that Administration intends to apply for additional funding to remove sunken vessels; and stated that noise violations are also addressed under the regulations. Mr. Gordon continued that Administration intends to apply for additional funding from NOAH to address derelict vessels; to utilize FEMA public assistance funding to demolish condemned structures; to attempt to address all condemned structures by year's end; to develop a more proactive nuisance abatement program; to improve upon the complaint driven program; and to develop an educational program to inform the general public of nuisance abatement. He added that Administration has met land owners who own large parcels of land regarding persons dumping debris on private property and that other Parishes have been consulted regarding the matter, but no resolution has been devised. In response to questioning, Mr. Gordon stated that he understands that the decibel noise level is for stereo noise, but indicated that Administration can readdress the matter to fine tune the legislation.

Committee Member A. Tillman expressed his support of assisting large land owners with promiscuous dumping and requested support of the large land owners with respect to cutting their parcels of land.

Mr. Charles Bass of Hall Street expressed his concern with respect to cut grass being blown onto Parish roadways along with other debris and why Parish inspectors are not citing damaged/abandon structures when they investigate tall grass sites.

Mr. Gordon stated that the structure located at 212 Madison Street will be addressed by year's end and that Administration would check to see if a complaint has been filed on the location. He continued that nuisance abatement has not been set up to address people blowing grass into catch basins.

Mr. Herdis Neil of T-Beb Street presented photos of various locations that are in violation of the nuisance ordinance inclusive of properties that are owned by the Parish and State Governments.

Committee Member J. Pizzolatto requested that Administration consider deputizing the nuisance abatement inspectors to assist with investigating promiscuous dumping on private property.

Mr. Gordon interjected that Administration will request representatives from law enforcement to discuss the matter of promiscuous dumping on private property.

Committee Member T. Cavalier exited the proceedings at 7:41 p.m.

Additional discussion ensued with respect to tall grass concerns.

Committee Member A. Tillman requested that Administration cut the tall grass surrounding the transit shelter and remove the tall trees that have fallen at the intersection of Main and Prospect Streets. (NO ACTION TAKEN)

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 7:48 p.m.

Clayton J. Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. C. Voisin, seconded by Mr. A. Tillman, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 8/10/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

The Vice-Chairman called for a report on the Public Services Committee meeting held on 8/10/09, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 8/26/09 and 9/23/09, rendered the following:

PUBLIC SERVICES COMMITTEE

AUGUST 10, 2009

The Chairman, Joey Cehan, called the Public Services Committee meeting to order at 7:55 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by K. Voisin and the Pledge of Allegiance led by C. Voisin. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

Mr. Sid Sundberry, Attorney for U. S. Oil and Gas, Inc., presented a request a variance from the Parish's one mile restriction with respect to a salt water disposal well permit application. Mr. Sundberry stated that the property is adjacent to Bernard Road in Bayou Dularge; that letters of no objections have been received from Cenac Towing Company, Gulf Island Fabricators, Sundberry Properties, Dularge Community Baptist Church, Diesel Source, Inc., Southern Facets and Supply, and Levitt Mechanical Contractors. He noted that the area is basically industrial or open land; stated that a permit has been filed with the Injection and Mining Division of the Department of Natural Resources; added that the permit applies only to salt water containment and that no other products can be placed in the well; explained that salt water is not a hazardous waste; and continued that a wetlands permit is not required.

Mr. Thomas Hebert of U. S. Oil and Gas, Inc., further explained that the State requires that no inhabited residents shall be within a .25 mile area around the disposal well, whereas, the Parish Government requires a 1 mile radius; that extensive maps have been drafted of the commercial area depicting the disposal well location; that Crozier Heights Subdivision is located

approximately 5,200 ft; that all of the businesses in the area have submitted letters of no objection; noted that Terrebonne Parish currently has only one disposal site; presented the historical background on the implementation of disposing salt water underground; added that the State monitors the sites; and that the disposal site will only contain salt water. Upon questioning, Mr. Hebert further explained the disposal process; added that desolate and oil products cannot be placed in the well; and that condensate and oil produce benzenes which causes the smell not the saltwater.

Planning & Zoning Director Patrick Gordon stated that Administration has not received any complaints with respect to the disposal site in the Coteau area; that another disposal site has been permitted in Bayou Black; and that the Parish ordinance contains flexibility with respect to permitting disposal sites.

Upon questioning, Mr. Hebert stated that the Bayou Dularge location was selected due to existing infrastructure being already in place at the site, that he currently owns the property, that the property has water access, and that another location would be costly to locate.

Parish Manager Al Levron stated that he does not know the proximity of the closest intake for drinking water supply to the proposed site and added that the Intracoastal is a confluent to the Houma Navigation Canal.

Mr. Hebert interjected that the site is over a mile from the nearest intake drinking water supply and stated that the location downstream at the intersection of Bayou LaCarpe and the Houma Navigation Canal on the west bank south of the canal and the Intracoastal Waterway. He then recognized Mr. James Kimbroll, geologist, and Mr. Tony Authem who were present in the audience.

Additional discussion transpired with respect to the disposal site location in proximity of the residential area and possible hazardous conditions.

Upon questioning, Parish President Michel Claudet stated that Administration does not have a recommendation with respect to the permit variance application.

Continued discussion ensued with respect to monitoring the disposal site.

Mr. Levron requested additional time to consider transfer possibilities of the disposal site as provided for in the guidelines for a Class 2 permit.

Mr. K. Voisin moved, seconded by Ms. T. Cavalier, "THAT, the Public Services Committee retain the matter relative to U. S. Oil & Gas' request for a salt water disposal site variance in committee for two weeks." (**SUBSTITUTE MOTION OFFERED AND DIED; ORIGINAL MOTION ADOPTED AFTER DISCUSSION)

Committee Member B. Hebert stated that he was told that there are no problems with a salt water containment well with the exception of corrosion.

Mr. T. Hebert explained the process of ensuring the containment of the salt water.

Homeland Security & Emergency Preparedness Director Earl Eues suggested that further investigation be conducted with respect to the other chemicals that may be contained within the salt water disposal site.

Council Clerk Paul Labat noted that a public hearing on the actual permit has been called for Wednesday's Council meeting and that the Council could not act upon the permit until the variance issues has been addressed.

Mr. A. Tillman offered a *substitute* motion, "THAT, the Public Services Committee deny the permit variance request by U. S. Oil and Gas, Inc. for a salt water disposal site in Bayou Dularge." (**SUBSTITUTE MOTION DIED DUE TO THE LACK OF A SECOND)

Parish President Michel Claudet stated that Administration will have an expert present at Wednesday's Council meeting to discuss the technicalities of the disposal site.

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: A. Tillman and A. Williams.

ABSENT: None.

The Chairman declared the motion adopted.

In response to questioning, Council Clerk Paul Labat noted that there may be public comments with respect to the disposal site at Wednesday's Council meeting; suggested that those out-of-town representatives be informed of the postponement of the public hearing; and added that final action could be taken in two weeks at the Council meeting. (NO ACTION TAKEN)

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-395

A resolution providing approval of Amendment No. 1 to the Engineering Agreement for Parish Project No. 04-WALK-25, Tunnel Boulevard Sidewalks, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into an engineering agreement dated December 17, 2004 with Duplantis Design Group, PC, to perform engineering services for Project No. 04-WALK-25; filed under folio No. 11988195, Tunnel Boulevard Sidewalks, and

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

WHEREAS, the LaDOTD and the available budget required modifications to the plans, and

WHEREAS, the original contract did not include enough Project Representative Services, and

WHEREAS, the current limitations need to be increased in the total amount of \$22,000.00 for these Services, and

WHEREAS, the firm of Duplantis Design Group, PC, has been asked to continue to perform these activities, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Amendment No. 1 to the engineering agreement with Duplantis Design Group, PC, to perform engineering services for Project No. 04-WALK-25, Tunnel Boulevard Sidewalks, which results in a total increase of Twenty Two Thousand Dollars and No cents (\$22,000.00) to the original contract amount; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, Duplantis Design Group, PC.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Committee Member T. Cavalier exited the proceedings at 8:47 p.m.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 09-396

A Resolution awarding and authorizing the signing of the Construction Contract for Parish Project No. 07-DRA-12, Upper Grand Caillou (D-08) Pump Station Rehabilitation Project, Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government did receive construction bids for Parish Project No. 07-DRA-12, Upper Grand Caillou (D-08) Pump Station Rehabilitation Project, Terrebonne Parish, Louisiana, and

WHEREAS, the firm of Larry Doiron, Inc., submitted the lowest responsible bid of \$1,529,028.25 to construct this project, and

WHEREAS, the Engineer for this project, Shaw Coastal, Inc., has recommended that the award of the contract be made to the firm of Larry Doiron, Inc., and

WHEREAS, the Terrebonne Parish Consolidated Government has provided sufficient funds, to complete this project.

NOW, THEREFORE BE IT RESOLVED, that all bid items necessary for the completion of Parish Project No. 07-DRA-12, Upper Grand Caillou (D-08) Pump Station Rehabilitation Project, be awarded to the firm of Larry Doiron, Inc., and

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Engineer be approved, and that the bid submitted by Larry Doiron, Inc., in the amount of One Million Five Hundred Twenty Nine Thousand, Twenty Eight Dollars and Twenty Five Cents (\$1,529,028.25) be accepted as per attached bid forms, and

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute all necessary Contract Documents to authorize Larry Doiron, Inc., to proceed with all necessary services for the completion of the project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-397

STATE PROJECT NO. 576-55-0024(331)
PARISH OF TERREBONNE

A Resolution awarding and authorizing the signing of the Construction Contract for Bayou Terrebonne Drainage Improvements Phase I, State Project No. 576-55-0024(331), Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government received bids on July 23, 2009 at 2:00 p.m. on the Bayou Terrebonne Drainage Improvements Phase I (Statewide Flood Control), Parish Project No. 04-DRA-24, State Project No. 576-55-0024(331), and

WHEREAS, the Parish is desirous of awarding the contract to the lowest responsive & responsible bidder, contingent upon approval of Louisiana Department of Transportation, and

WHEREAS, Shaw Coastal, Inc. has recommended that award of the contract be made to the lowest responsive & responsible qualified bidder; Coastal Dredging Company, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, in regular session assembled on this 12th day of August, 2009, acting pursuant to the recommendation of Shaw Coastal, Inc. that the Base Bid plus Alternate No. 1 and Alternate No. 2 in the amount of \$3,809,664.67 by Coastal Dredging Company, Inc. be accepted, and a contract be awarded to them, contingent upon DOTD concurrence.

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute all necessary Contract Documents to authorize the lowest responsive, responsible bidder on State Project No. 576-55-0024(331), to proceed with all necessary services for the completion of the project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-398

A Resolution awarding and authorizing the signing of the Construction Contract for Ward 7 Levee Improvements Reach 2B, State Project No. 576-55-0023(332), Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government is scheduled to receive construction bids on State Project No. 576-55-0023(332), Ward 7 Levee Improvements Reach 2B (Statewide Flood Control), Ward 7 Levee Improvements from Central Heights Subdivision to St. Louis Canal, Terrebonne Parish, Louisiana on August 20, 2009, and

WHEREAS, the Parish desires to authorize the award of a construction contract to the firm that submits the lowest responsive, responsible bid within the authorized budget, and contingent upon approval of Louisiana Department of Transportation and Development for the Ward 7 Levee Improvements Reach 2B, and

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to award a construction contract to the firm that submits the lowest responsive, responsible bid within the authorized budget, and contingent upon approval of Louisiana Department of Transportation and Development for the Ward 7 Levee Improvements Reach 2B project, and

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute all necessary Contract Documents to authorize the lowest responsive, responsible bidder on State Project No. 576-55-0023(332), to proceed with all necessary services for the completion of the project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-399

A resolution authorizing the execution of Change Order No. 2 (Balancing) to the Construction Agreement for Parish Project No.07-DRA-11, Canal Street Improvements and Little Bayou Black Bulkhead, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a construction agreement December 1, 2008, with Sealevel Construction, Inc., Recordation Number 1310847, for Parish Project No. 07-DRA-11, Canal Street Improvements and Little Bayou Black Bulkhead, Terrebonne Parish, Louisiana, and

WHEREAS, this change order has been recommended so as to adjust the estimated contract item quantities and to add additional contract item for completion of the project described on the attached Change Order No. 2 (Balancing) for the above referenced project, and

WHEREAS, this change order will add twenty-two (22) calendar days to the contract as a result of Change Order No. 2 (Balancing), and

WHEREAS, this change order is necessary in order to decrease the overall contract price by (\$19,219.39), and

WHEREAS, this Change Order No. 2 (Balancing) has been recommended by the Engineer, GSE Associates, Inc., for this project.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 2 (Balancing) to the construction agreement with Sealevel Construction, Inc. for Parish Project No. 07-DRA-11, Canal Street Improvements and Little Bayou Black Bulkhead, Terrebonne Parish, Louisiana for a decrease in the amount of Nineteen Thousand, Two Hundred Nineteen Dollars and Thirty-Nine Cents (-\$19,219.39) to the contract amount as described on Change Order No. 2 (Balancing), and

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

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

RESOLUTION NO. 09-400

RESOLUTION CERTIFYING COMPLIANCE WITH THE PUBLIC BID LAWS
STATE PROJECT NO. 576-55-0024(331)
PARISH OF Terrebonne

WHEREAS, the Terrebonne Parish Consolidated Government (TPCG), has solicited bids for State Project No. 576-55-0024(331) in accordance with the current bid laws of the state of Louisiana, including, but not limited to R.S. 38:2211, et. seq; and

WHEREAS, the Terrebonne Parish Consolidated Government (TPCG), has submitted to DOTD Certification of proof of publication, one (1) copy of the bid proposals and bid bonds as submitted by each of the bidders, and legible copy of the bid tabulation of all bids received, and certified to be correct by the Engineer and an authorized official of the Sponsor, a copy of the engineer's recommendation data in the Clerk of Court's Office.

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government (TPCG), in Regular session, assembled on this 12th day of August, 2009, does hereby certify compliance with the bidding procedures of Louisiana Revised Statutes 38:2211, et. seq.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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

RESOLUTION NO. 09-401

A resolution ratifying the Parish President's appointment of David A. Waitz Engineering and Surveying, Inc. to provide professional engineering services relative to the replacement of existing cast iron gas lines, project known as Cast Iron Gas Line Improvements, Morris Street Area, Phase XIV.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President's appointment of David A. Waitz Engineering and Surveying, Inc. to provide professional engineering and land survey services relative to cast iron gas line replacement for project known as Cast Iron Gas Line Improvements, Morris Street Area, Phase XIV, be, and is hereby approved, and

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

THERE WAS RECORDED:

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

NAYS: None.
ABSTAINING: None.
NOT VOTING: None.

ABSENT: T. Cavalier and A. Tillman.
The Chairman declared the resolution adopted on this, the 10th day of August, 2009.
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OFFERED BY: Mr. K. Voisin.
SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-402

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT AND THE TERREBONNE COUNCIL ON AGING FOR DONATION OF VEHICLES

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

WHEREAS, Section 1-07 of the Terrebonne Parish Charter provides the parish government is authorized as provided by state law, to enter into joint service agreements or cooperative efforts with other governmental agencies and political subdivisions; and,

WHEREAS, Article VII, Section 14(B) entitled "Authorized Uses", of the Louisiana Constitution lists ten specific instances of permissible use of public funds, one of which includes, "the use of public funds for programs of social welfare for the aid and support of the needy"; and

WHEREAS, the purpose of this agreement is to further one of the goals of the Terrebonne Council on Aging (TCOA) to provide transportation for the needy elderly citizens in Terrebonne Parish; and

WHEREAS, TPCG currently owns two rural transit buses which have exceeded their useful life and have been removed from the rural transit program by the LA DOTD/FTA and are currently no longer needed for a public purpose of the TPCG or being used; and

WHEREAS, TCOA and TPCG believe they can substantially benefit the public purpose of transportation availability for low to moderate income elderly residents of Terrebonne Parish by donating the two vehicles to TCOA subject to the terms herein described; and

NOW THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of Terrebonne Parish Consolidated Government that Parish President Michel Claudet is hereby authorized to negotiate and to execute all documents necessary to effect a viable Cooperative Endeavor Agreement between the Terrebonne Parish Consolidated Government and the Terrebonne Council on Aging containing substantially the same terms as those set out in the attached agreement.

THERE WAS RECORDED:
YEAS: J. Cehan, B. Hebert, P. Lambert, C. Voisin, K. Voisin and A. Williams.
NAYS: None.
ABSTAINING: None.
NOT VOTING: None.
ABSENT: T. Cavalier, J. Pizzolatto and A. Tillman.
The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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

RESOLUTION NO. 09-403

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No. 08-DRA-26, Lower Montegut Pump Station (D-2) Steel Bulkhead /Discharge Pipe Improvements Project, Terrebonne Parish, Louisiana.

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

WHEREAS, this change order has been recommended so as to increase the contract to incorporate the replacement of the existing discharge piping from the flange outside the existing pump station to the new piping, and

WHEREAS, this Change Order No. 1 has been recommended by the Engineer, T. Baker Smith, Inc., for this project.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 1 to the construction agreement with Jag Construction Services, Inc, to perform construction services for the Lower Montegut Pump Station (D-2) Steel Bulkhead /Discharge Pipe Improvements Project, Parish Project No. 08-DRA-26, for a increase in the amount of Eighty Four Thousand, Four Hundred Fifty Dollars and zero cents (\$84,450.00) to the original contract amount, and

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Parish Manager Al Levron stated that there are current contracts underway to replace the bulkheads at the near Montegut Pump Station and that it was anticipated that the discharge piping would be extended; however, it was determined that the piping need to be replaced due to corrosion.

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

RESOLUTION NO. 09-404

A resolution authorizing Change Order No. 1 to the Agreement between Owner and Contractor for the Project No. 08-LIB-08, Demolition and New Construction of Grand Caillou Branch Library.

WHEREAS, the Terrebonne Parish Consolidated Government did enter into a contract with B. E. T. Construction, Inc., dated October 17, 2008 and recorded under Entry No.1307911 for Project No. 08-LIB-08, Demolition and New Construction of Grand Caillou Branch Library, and

WHEREAS, this change order balances quantities to actual ones installed, and

WHEREAS, this change order is also necessary to increase the contract time, and

WHEREAS, the Architect for this project, Cheramie + Bruce Architects, recommends this Change Order No 1, and

NOW, THEREFORE BE IT RESOLVED that Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the Parish President Michel Claudet, to execute this Change Order No. 1 which balances quantities to actual ones installed for a decrease of Fifty Six Thousand, Six Hundred Eighty Seven Dollars and No Cents (\$56,687.00) and increases the contract time by Thirty Three (33) days, for Parish Project No. 08-LIB-08; Demolition and New Construction of Grand Caillou Branch Library, Terrebonne Parish, Louisiana; and,

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Architect, Cheramie + Bruce Architects.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-405

A resolution providing for the acceptance of work performed by B.E.T. Construction, Inc., in accordance with the Certificate of Substantial Completion for Grand Caillou Branch Library Renovations, Project No. 08-LIB-08, Terrebonne Parish, Louisiana

WHEREAS, the Terrebonne Parish Library Board of Control did enter into a contract with B.E.T. Construction, Inc., dated October 17, 2008 for Project No. 08-LIB-08, Grand Caillou Branch Library Renovations, Terrebonne Parish, Louisiana, and

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

WHEREAS, the Architect for this project, Cheramie + Bruce Architects, APC, recommends the acceptance of the substantial completion, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed in accordance with the contract and specifications in accordance with the Certificate of Substantial Completion, effective as of the date of recording of this resolution, and does authorize and direct the Clerk of Court and Ex-Officio Recorder of Mortgages of Terrebonne Parish to note this acceptance thereof in the margin of the inscription of said contract under Entry No. 1307911 of the Records of Terrebonne Parish, Louisiana, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Architect, Cheramie + Bruce Architects, APC

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 09-406

A resolution authorizing the execution of Change Order No. 1 to the Construction Agreement for Parish Project No. 05-BRG-34, Waterproof Bridge Replacement, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated August 26, 2008, with Gray Construction Corp., Recordation Number 1305074, for the Waterproof Bridge Replacement, Parish Project No. 05-BRG-34, Terrebonne Parish, Louisiana, and

WHEREAS, this change order is necessary to add twenty-four (24) calendar days to the original contract for the completion of the above referenced project, and

WHEREAS, this change order is necessary in order to add twenty-four (24) calendar days to the contract due to non-cooperation from Charter Communications involving the moving of their line over the work area on the north side of the project during construction, and

WHEREAS, the Engineer for this project, David A. Waitz Engineering and Surveying, Inc., recommend this change order, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the Parish President Michel Claudet, to execute this Change Order No. 1 which results in an increase of twenty-four (24) calendar days, for Parish Project No. 05-BRG-34; Waterproof Bridge Replacement, Terrebonne Parish, Louisiana.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-407

A resolution authorizing the execution of Change Order No. 1 for the Construction Agreement for Parish Project No. 07-ROAD-36; Hollywood/St. Louis Canal Road Improvements, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated May 22, 2009, with LA Contracting Enterprise, L.L.C., Inc., for the Hollywood/St. Louis Canal Road Improvements, Parish Project No. 07-ROAD-36, Terrebonne Parish, Louisiana, and

WHEREAS, it is necessary to widen a section of Hollywood Road between St. Louis Canal Road and the St. Louis Canal Bridge that was left out of the plans, and

WHEREAS, this change order will increase the contract by \$53,218.00, and

WHEREAS, this change order will increase the contract time by 30 days, and

WHEREAS, this Change Order No. 1 has been recommended by the ENGINEER for this project, David A. Waitz Engineering And Surveying, Inc.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 1 to the construction agreement with LA Contracting Enterprise, L.L.C., to widen a section of Hollywood Road between St. Louis Canal Road and the St. Louis Canal Bridge for an increase of Fifty Three Thousand Two Hundred Eighteen Dollars and No Cents (\$53,218.00) to the original contract amount and increases the construction time by thirty (30) days, and

BE IT FURTHER RESOLVED that a certified copy of the resolution be forwarded to the Engineer, David A. Waitz Engineering And Surveying, Inc.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-408

A resolution ratifying the appointment of T. Baker Smith, Inc., to provide engineering services for the Lake Boudreaux Freshwater Diversion Project – Extension of Levee System (CWPPRA) Project; and authorizing execution of an engineering agreement for said services.

WHEREAS, the Terrebonne Parish Consolidated Government has obtained CWPPRA funds to partially finance the required Extension of Levee Project, associated with CWPPRA Project TE-32, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby ratify the appointment of T. Baker Smith, Inc. to provide professional engineering services for the Lake Boudreaux Freshwater Diversion Project – Extension of Levee System (CWPPRA) Project; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council (Public Services

Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize Michel Claudet to execute an engineering agreement with T. Baker Smith, Inc. to provide professional engineering services for the Lake Boudreaux Freshwater Diversion Project – Extension of Levee System (CWPPRA) Project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-409

A resolution providing approval of Change Order No. 1 for URS Corporation for Southdown Modifications Project, Work Order No. 018.

WHEREAS, Terrebonne Parish Consolidated Government did approve Work Order No. 018 to provide professional services related to the Southdown Substation Modifications project, and

WHEREAS, as costs associated with witness testing of transformers were not included in the engineering agreement, and

WHEREAS, a change order has been recommended for an increase in the amount of \$4,809.00 for the witness testing of the transformers.

NOW THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, hereby approves this change order for the above referenced project.

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute Change Order No. 1, for an increase in the amount of \$4,809.00.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-410

A resolution authorizing a cooperative endeavor agreement between Pets R Our World and Terrebonne Parish Consolidated Government to provide low-cost veterinary services to the public.

WHEREAS, in furtherance of its obligations to provide for the general health, safety, and welfare of Terrebonne Parish, Louisiana citizens, TPCG provides animal control services through the Department of Utilities, Office of Animal Control (OAC), and

WHEREAS, the demand for services of the OAC is directly related to pet population, particularly the population of stray animals, and

WHEREAS, it has been clearly established that unaltered stray and unrestrained pets are the primary cause of over population, and

WHEREAS, in the absence of mitigating measures, it is anticipated the problem of pet overpopulation and associated cost will grow exponentially and compromise the objectives of the OAC and TPCG, and

WHEREAS, the cost of veterinary services for spay and neuter procedures is considered to be a primary obstacle to many pet owners who wish to insure their pets do not contribute to this growing problem, and

WHEREAS, in an effort to stem the escalating problem of domestic animal over population in Terrebonne Parish, the TPCG is desirous of making low-cost spay/neuter service available to the general public, and

WHEREAS, the PETS R OUR WORLD is cognizant of the pet overpopulation problem and contributes to the solution by offering low-cost spay/neuter services to south Louisiana communities utilizing its mobile veterinary clinic, and

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government that Parish President Michel Claudet be, and he is hereby, authorized to enter into a cooperative endeavor agreement with Pets R Our World to provide low-cost veterinary services to the public.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-411

A resolution authorizing the Parish President to execute a Cooperative Endeavor Agreement between the Terrebonne Parish Consolidated Government (TPCG) and the Orleans Audubon Society.

WHEREAS, Article VII, Section 14 of the Louisiana Constitution provides that “[F]or a public purpose, the state and its political subdivision or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation or individual”, and

WHEREAS, the Orleans Audubon Society owns and operates a recreational Birding Observation Platform, and parking area adjacent to Hwy 57 in Cocodrie, to provide viewing access to water birding enthusiasts, and

WHEREAS, the Orleans Audubon Society has requested the Parish Government to perform periodic maintenance of the limestone parking area of the recreational site, and

WHEREAS, TPCG desires to provide the requested maintenance in furtherance of its authority to provide recreational opportunities to its residents,

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the Parish President, Michel Claudet, be and he is authorized to execute a cooperative endeavor agreement by and between the Terrebonne Parish Consolidated Government and the Orleans Audubon Society for the aforementioned purposes; and,

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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Committee Member J. Pizzolatto informed the public that the bird/nature observation facility is located along Highway 57 in Cocoderie.

Captain Keith Ward of the Houma Fire Department stated that the proposed dates of the Muscular Dystrophy “street solicitations” are the second weekends in March and November or, if there is inclement weather, the solicitation would take place the 3rd weeks of March and November.

Ms. Tiffany Jones, Executive Director of the Muscular Dystrophy Association of Southeast Louisiana, stated that the association services 12 parishes; that the agency is a volunteer agency that provide services to clients with muscular diseases; that there are two local clinics in New Orleans; that flu shots are given each year; that summer camps are provided; that the association provides funding for the purchase and/or repair of medical equipment; and that funding is provided for research at the LSU-Shreveport site. She continued that fire fighters have been long time supporters of MDA; that the agency is not funded through the government, but by local donations; that the association would provide \$1,000,000.00 in insurance coverage for the fire fighters making the solicitations. Ms. Jones then showed a video of Muscular Dystrophy solicitations.

Committee Member K. Voisin expressed his concern with respect to permitting the fire fighters to solicit “street side” donations possibly opening an avenue for other organizations to request permission to do the same.

Ms. A. Williams moved, seconded by Mr. A. Tillman, “THAT, the Public Services Committee introduce an ordinance to amend Article III. ‘Peddlers and Solicitors’ of Chapter 16 ‘Licenses and Miscellaneous Business Regulations’ – Section 16-53 ‘Unlawful Solicitation’ of the Terrebonne Parish Code to allow Houma Fire Department and area volunteer fire fighters to solicit funds for the Muscular Dystrophy Association and call a public hearing on said matter Wednesday, August 26, 2009 at 6:30 p.m.” (**AMENDED MOTION ADOPTED AFTER DISCUSSION)

Ms. Jones suggested that the Council consider limiting the solicitation opportunity to only bona fide organizations that 501-C3 organizations that provide a tax letter, proof from the IRS, and require that they provide insurance.

Discussion transpired with respect to supporting the fire fighters effort to support Muscular Dystrophy and traffic congestion as a result of the “street solicitations”.

**Ms. A. Williams offered an *amendment*, seconded by Mr. A. Tillman, “THAT, the Public Services Committee introduce an ordinance to amend Article III. ‘Peddlers and Solicitors’ of Chapter 16 ‘Licenses and Miscellaneous Business Regulations’ – Section 16-53 ‘Unlawful Solicitation’ of the Terrebonne Parish Code to allow the Houma Fire Department and members of local volunteer fire companies to solicit funds for the Muscular Dystrophy Association; that the Muscular Dystrophy Association provide \$1 million dollars in liability insurance coverage for the ‘street solicitation’; and call a public hearing on said hearing on said matter on Wednesday, August 26, 2009 at 6:30 p.m.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: K. Voisin.

ABSENT: T. Cavalier.

The Chairman declared the motion adopted.

OFFERED BY: Mr. B. Hebert.

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

RESOLUTION NO. 09-412

A resolution introducing and calling a public hearing on an ordinance amending the Terrebonne Parish Code Chapter 5, Article II to provide for matters related to the adoption fees for impounded animals.

NOW THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Public Services Committee) on behalf of the Terrebonne Parish Consolidated Government, that a public hearing shall be held on September 23, 2009 at 6:30 p.m. to consider public comment on an ordinance amending the Terrebonne Parish Code Chapter 5, Article II to provide for matters related to the adoption fees for impounded animals.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

Public Works Director Lt. Col. (Ret.) Greg Bush stated that Administration completed a visual inspection of the flap gate near Ledet Street and Company Canal which revealed two openings to the area and that two culverts or flap gates would be needed at the location. He continued that an inspection of the elevation revealed that a burm would be necessary to maintain a certain elevation between the flap gates; that a wetland delineation would be necessary; and that a survey is needed to determine the elevation of the pipe.

Committee Member C. Voisin exited the proceedings at 9:10 p.m.

Committee Member P. Lambert stated that over the last two years, the tide in the Intracoastal and Company Canal has been at an elevated level.

Lt. Col. (Ret.) Bush requested additional time to complete a survey of the area and an opportunity to resolve the matter utilizing in-house personnel. (NO ACTION TAKEN)

Committee Member J. Pizzolatto requested that Administration sort the Road Priority Maintenance listing by district and submit a copy to the Council.

Public Works Director Lt. Col. (Ret.) Greg Bush stated that the Road Priority Maintenance list has been compiled in accordance to priority order based upon the surface rating. He noted that there are five concrete roadways that have been included on the listing.

Council Clerk Paul Labat stated that the Public Works Department has been requested to prepare a document listing all Parish and State roadways by district.

OFFERED BY: Mr. J. Pizzolatto.

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

RESOLUTION NO. 09-413

WHEREAS, each year, a Road Maintenance Priority List is adopted by the Parish Government as a requirement to receive allocations from the State Transportation Trust Fund, and

WHEREAS, this list includes the length and width of a roadway, District in which the road or street is located, Priority Rating and other pertinent information, and

WHEREAS, the Parish Administration has devised a 2009 Road Maintenance Priority List for review by the Council.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the attached 2009 Road Maintenance Priority List prepared by the Parish Administration be accepted and approved as submitted.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier and C. Voisin.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

The Chairman recognized a speaker card from Mr. Charles Bass regarding grass cutting along State rights-of-way and noted that Mr. Bass was not present.

Committee Member K. Voisin requested that no action be taken on the matter relative to grass cutting on rights-of-way along State roadways due to the matter being previously discussed and pending further discussion at a later date. (NO ACTION TAKEN)

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: T. Cavalier and C. Voisin.

The Chairman declared the motion adopted and the meeting was adjourned at 9:21 p.m.

Joey Cehan, Chairman

Mr. J. Cehan moved, seconded by Ms. A. Williams, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 8/10/09."

The Vice-Chairman called for a vote on the motion offered by Mr. J. Cehan.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

The Vice-Chairman called for a report on the Community Development & Planning Committee meeting held on 8/10/09, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 8/26/09 and 9/23/09, rendered the following:

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

AUGUST 10, 2009

The Chairman, A. Tillman, called the Community Development & Planning Committee meeting to order at 9:26 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Williams and the Pledge of Allegiance led by P. Lambert. Upon roll call, Committee Members recorded as present were: J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. Committee Member T. Cavalier was recorded as absent. A quorum was declared present.

The Chairman announced that the following items have been withdrawn from the agenda:

- Item No. 1 - Introducing an ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.2 General of the Terrebonne Parish Code (Altering Drainage Plan after development is completed)
- Item No. 2 - Introducing an ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.5.3.3 Process C: Engineering Approval of the Terrebonne Parish Code (Lapse between Conceptual/Preliminary Approval and Engineering Approval)
- Item No. 3 - Introducing ordinance to amend the Subdivision Regulations, Chapter 24, Section 24.7.1.1.1 Streets (Urban Service District & Urban Planning Area) and Section 24.7.1.2.1 Streets (Rural Residential) of the Terrebonne Parish Code (Proper Access to Major Subdivisions: Ingress and Egress)
- Item No. 4 - Introducing an ordinance to amend the Subdivision Regulations Chapter 24, Section 24.7.1.2.4 Minimum Residential Lot Size and Section 24.7.1.5 Residential Lot Frontage (Access) of the Terrebonne Parish Code (Lot Development on Rights-of-way)

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 09-414

A RESOLUTION AUTHORIZING THE SELECTION OF THE EAST HOUMA SURGE PROTECTION LEVEE – THOMPSON ROAD AS THE LEVEE ENHANCEMENT PROJECT MOST APPROPRIATE TO BE FUNDED BY THE LOUISIANA RECOVERY AUTHORITY OFFICE OF COMMUNITY DEVELOPMENT HURRICANE KATRINA/RITA FUNDS.

WHEREAS, the Terrebonne Parish Consolidated Government is making an application for a Community Development Block Grant (CDBG) Disaster Recovery Grant from the Louisiana

Recovery Authority/Office of Community Development (LRA/OCD) for the East Houma Surge Protection Levee- Thompson Road project; and

WHEREAS, the application for this project requires that the project be identified for funding to be part of the Long Term Recovery Plan; and

WHEREAS, the East Houma Surge Protection Levee – Thompson Road is integral to achieve the Long Term Recovery Goal of Implementing Levee Enhancement projects that will enhance the inner ring of tidal protection/forced drainage system levees as part of the three-tiered approach to comprehensive flood protection in the Parish; and, to provide interim protection while the “*Morganza to the Gulf*” project is being implemented; and

WHEREAS, the project is eligible for funding under the Louisiana Recovery Authority Office of Community Development and can be completed with the funding available;

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the East Houma Surge Protection Levee – Thompson Road is the levee enhancement project selected for utilizing the LRA/OCD funds.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 09-415

A resolution supporting the participation of Mr. Gregory Fakier in the benefits of the Restoration Tax Abatement Program for property located at 7886 Main Street, Houma.

WHEREAS, Terrebonne Parish Consolidated Government is vitally interested in furthering the development and restoration of the Historic District of Downtown Houma; and,

WHEREAS, the Louisiana Restoration Tax Abatement Program was created by the Louisiana State Legislature by Act 445 of 1983; and,

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for the restoration of historic buildings; and,

WHEREAS, Mr. Gregory Fakier purchased a 1800’s building in downtown Houma with the purpose of restoring and revitalizing the structure; and,

WHEREAS, the preservation of this historic building has provided a residence on Main Street and two new commercial establishments

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of Terrebonne Parish Consolidated Government hereby supports and endorses the participation of Mr. Gregory Fakier in the benefits of the Louisiana Restoration Tax Abatement Program for the property he purchased located at 7886 Main Street, Houma (Restoration Tax Abatement Contract No. 2002-0509-70).

THERE WAS RECORDED:

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

NAYS: None.
ABSTAINING: None.
NOT VOTING: None.
ABSENT: T. Cavalier.
The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

In response to questioning regarding monitoring restoration efforts in the Historic District, Planning & Zoning Director Patrick Gordon stated that the State and the local Main Street Program would monitor the restoration project. He added that the State is in charge of the program.

Upon questioning regarding the rezoning of property located on Mid City Court, Planning & Zoning Director Patrick Gordon stated that Administration and the Houma-Terrebonne Regional Planning Commission recommends approval of the rezoning request.

OFFERED BY: Mr. J. Pizzolatto.
SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 09-416

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM C-3 (NEIGHBORHOOD COMMERCIAL DISTRICT) AND R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT), 102-222 MID CITY COURT; JUDY & FRANKLIN BISHOP, APPLICANTS; AND CALLING A PUBLIC HEARING ON SAID MATTER FOR WEDNESDAY, SEPTEMBER 23, 2009 AT 6:30 P.M.

BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), that notice be hereby given to adopt an ordinance to amend the Zoning Map of the Parish of Terrebonne so as to rezone from C-3 (Neighborhood Commercial District) and R-1 (Single-Family Residential District) to R-3 (Multi-Family Residential District), 102-222 Mid City Court; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be called on said matter for Wednesday, September 23, 2009 at 6:30 p.m.

THERE WAS RECORDED:
YEAS: J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.
NAYS: None.
ABSTAINING: None.
NOT VOTING: None.
ABSENT: T. Cavalier.
The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

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

RESOLUTION NO. 09-417

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM C-3 (NEIGHBORHOOD COMMERCIAL DISTRICT) TO R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT), LOT 1-B, BLOCK 3, DAIGLE PLACE SUBDIVISION; BRAD DOYLE, APPLICANT; AND CALLING A PUBLIC HEARING ON SAID MATTER FOR WEDNESDAY, SEPTEMBER 23, 2009 AT 6:30 P.M.

BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), that notice be hereby given to adopt an ordinance to amend the Zoning Map of the Parish of Terrebonne so as to rezone from C-3 (Neighborhood Commercial District) to R-1 (Single-Family Residential District), Lot 1-B, Block 3, Daigle Place Subdivision; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be called on said matter for Wednesday, September 23, 2009 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

Committee Member C. Voisin exited the proceedings at 9:30 p.m.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 09-418

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, and rights-of-way for "Sugarland Subdivision, Addendum No. 4" and to incorporate "Payton Drive" and the extension of "Blakefield Drive" into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, and rights-of-way for "Sugarland Subdivision, Addendum No. 4" and to incorporate "Payton Drive" and the extension of "Blakefield Drive" 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 26, 2009 at 6:30p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

NOT VOTING: None.

ABSENT: T. Cavalier and C. Voisin.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

Mr. K. Voisin moved, seconded by Mr. J. Cehan, "THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: T. Cavalier and C. Voisin.

The Chairman declared the motion adopted and the meeting was adjourned at 9:31 p.m.

Mr. A. Tillman moved, seconded by Ms. A. Williams, “THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 8/10/09.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

The Vice-Chairman called for a report on the Natural Resources & Coastal Restoration Committee meeting held on, whereupon the Committee Chairman rendered the following:

NATURAL RESOURCES & COASTAL RESTORATION COMMITTEE

AUGUST 10, 2009

The Chairman, Kevin Voisin, called the Natural Resources & Coastal Restoration Committee meeting to order at 9:32 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Tillman and the Pledge of Allegiance led by B. Hebert. Upon roll call, Committee Members recorded as present were: J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, K. Voisin, and A. Williams. Committee Member C. Voisin entered the proceedings at 9:35 p.m. and Committee Member T. Cavalier was recorded as absent. A quorum was declared present.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 09-419

A RESOLUTION REQUESTING THE DREDGING OF AND THE PROPER SIGNAGE ALONG THE LOWER PORTION OF BAYOU TERREBONNE.

WHEREAS, Bayou Terrebonne was once a major waterway in this parish and had constant traffic of commercial and recreation fishing boats and also major tug boats and barges servicing the oil industry; and

WHEREAS, due in part to the closure of the Texaco facility in lower Montegut several years ago, the oil related marine traffic in Bayou Terrebonne has decreased almost to the point of non-existence; and

WHEREAS, due to the past four major hurricanes, the lower one mile section of Bayou Terrebonne, from Bayou LaFleur to Seabreeze, has stilted to the point that regular sized marine vessels can no long travel without fear of being mired in the shallow water; and

WHEREAS, the Terrebonne Parish Sheriff’s Water Patrol has reported that it had to assist FORTY SEVEN boaters in the last three years after they became stuck due to the shallow water bottom; and

WHEREAS, during the weekend of August 1 and 2 alone, the Water Patrol reported having to pull out SIX (6) boats that were mired in the mud and burned a motor on an outboard that resulted in extra expenses to the Sheriff’s Office, and

WHEREAS, according to the director of the Water Patrol, even smaller boats can get stuck in the bayou during period of low tide; and

WHEREAS, Bayou Terrebonne is under the jurisdiction of the state and federal governments and should be both properly signed to warn boaters of the shallow water bottoms and should be ultimately dredged to allow marine traffic to continue to use this natural waterway.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Natural Resources and Coastal Restoration Committee), on behalf of the Terrebonne Parish Consolidated Government, that the United States Coast Guard, the United States Corps of Engineers and the Louisiana Department of Natural Resources be advised of the dangerous condition of lower Bayou Terrebonne and that all agencies be asked to work together to immediately place the proper warning signs along Bayou Terrebonne to inform boaters of the shallow water bottoms, and

BE IT FURTHER RESOLVED that these same agencies work to allocate the necessary funds to dredge that portion of Bayou Terrebonne from Bayou LaFleur to Sea breeze in the very near future, so as to allow boaters to once again use this natural waterway, and

BE IT FURTHER RESOLVED that, as a temporary measure, the Parish Administration be requested to do everything possible to dredge the last mile of Bayou Terrebonne to better protect the boaters in Terrebonne Parish.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 10th day of August, 2009.

* * * * *

Committee Member P. Lambert explained that the aforementioned action is being taken as a result of sediment deposit at the end of Bayou Terrebonne approximately 1 mile from Sea Breeze creating a “dune like sediment” that prevents navigable travel in the waterway. Councilman Lambert noted that 50 boats have been trapped in the sediment in the recent past, expressed the necessity of dredging Bayou Terrebonne, and requested that placement of the appropriate warning signage in the area.

Committee Member C. Voisin entered the proceeding during the aforementioned discussion.

The Chairman announced that there will be three public Storm Surge information meetings in the near future.

Committee Member J. Cehan noted that a Storm Surge meeting will be held on Wednesday, August 12, 2009 from 5:00 p.m. to 8:00 p.m. at the Ward 7 Citizen’s Club located at 5006 Highway 56 in Chauvin and then expressed his apology for not being able to attend the meeting due to the scheduling of the Regular Council meeting.

The Chairman continued that the public Storm Surge meetings are being sponsored by the LSU AgCenter from 5:00 p.m. to 8:00 p.m. at the following additional locations:

Thursday, August 13th – South Lafourche Library (former Wal-Mart building), 16241 East Main Street, Golden Meadow, LA

Monday, August 17th – Terrebonne Parish Main Library, 151 Library Drive, Houma, LA

Mr. J. Cehan moved, seconded by Mr. B. Hebert, “THAT, there being no further business to come before the Natural Resources and Coastal Restoration Committee, the meeting be adjourned.”

The Chairman called for the vote on the motion offered by Mr. J. Cehan.
UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: T. Cavalier.

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

Kevin Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. K. Voisin moved, seconded by Mr. A. Tillman, "THAT, the Council accept and ratify the minutes of the Natural Resources & Coastal Restoration Committee meeting held on 8/10/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

At the request of Councilman P. Lambert, Councilman K. Voisin read aloud the resolution adopted in the NR & CR committee requesting the dredging of and proper signage along the lower portion of Bayou Terrebonne.

Ms. A. Williams moved, seconded by Mr. K. Voisin, "THAT, the Council approve the following street light list:

INSTALL STREET LIGHT ON EXISTING POLE AT END OF DRIVEWAY LOCATED AT 5733 HIGHWAY 311; ROAD LIGHTING DISTRICT NO. 2; ENTERGY; COUNCILMAN KEVIN VOISIN

REMOVE SIX (6) ENTERGY LIGHTS AND EQUIPMENT, AND REPLACE WITH SEVEN (7) 250 WSV LIGHTS, AS PER ATTACHED MAP; ROAD LIGHTING DISTRICT NO. 3A; TPCG UTILITIES; COUNCILMAN ALVIN TILLMAN

ENERGIZE TWO STREET LIGHTS ALONG BAYOU TERREBONNE BAYOUWALK UPON COMPLETION OF PROJECT; URBAN SERVICES DISTRICT ROAD LIGHTING; TPCG UTILITIES; COUNCILWOMAN ARLANDA WILLIAMS

ENERGIZE EIGHT STREET LIGHTS ALONG BAYOU TERREBONNE BAYOUWALK UPON COMPLETION OF PROJECT; URBAN SERVICES DISTRICT ROAD LIGHTING; TPCG UTILITIES; COUNCILMAN JOHNNY PIZZOLATTO."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. K. Voisin, "THAT, the Council approve attendance at the following meeting as per the current Council Travel Policy:

- A) 53rd Annual Florida Shore and Beach Preservation Association Conference; September 16-18, 2009; Amelia Island, Florida."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. B. Hebert, “THAT, the Council accept the resignation of Ms. Jane Richards from the Bayou Cane Fire District Board, that nominations be opened, that Mr. David Hash, Mr. Jason Gautreaux, and Mr. Robert Chauvin, Jr., be nominated, that nominations be closed and that a voice vote of the Council be taken to determine who will fill the vacancy.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

The Vice-Chairman called for a voice vote of the Council, whereupon the following was recorded:

JASON GAUTREAUX

ROBERT CHAUVIN

C. Voisin

J. Cehan

P. Lambert

B. Hebert

DAVID HASH

K. Voisin

A. Tillman

A. Williams

T. Cavalier

J. Pizzolatto

The Vice-Chairman stated as per the aforementioned results, Mr. David Hash is appointed to the vacancy on the Bayou Cane Fire District Board.”

Mr. A. Tillman moved, seconded by Ms. A. Williams, “THAT, the Council appoint Mr. Tony Martin and Mr. Kenneth Colwart to two of the vacancies on the Village East Volunteer Fire Protection Board and that nominations be held open for the third vacancy.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. A. Tillman, “THAT, the Council accept the resignation of Mr. Paul Breaux from the Fire District No. 9 Board and that Mr. Riley Gros be appointed to fill the vacancy.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. K. Voisin, "THAT, the Council accept the nominations for the TEDA Board, that nominations be closed and that a voice vote of the Council be taken to cast votes for the following expired terms: 2 SCIA appointments (At least 1 female), 1 Fletcher Technical Community College appointment, 2 General Public appointments, and 1 Chamber of Commerce appointment."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

The Vice-Chairman called for a voice vote of the Council for the SCIA appointments on the TEDA Board, whereupon the following was recorded:

LORI DAVIS MORRIS HEBERT

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

BOBBY BARTHEL STEVE BECNEL

PATRICK SEELY PATRICK BUSSEY

The Vice-Chairman declared as per the aforementioned results, Ms. Lori Davis (replacing Ms. Stephanie Hebert) and Mr. Morris Hebert (current member) are appointed to the expired terms on the TEDA Board, representing SCIA.

The Vice-Chairman called for a voice vote for the Fletcher Technical Community College appointment on the TEDA Board, whereupon the following was recorded:

LOUIS WATKINS MARK LEE

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

The Vice-Chairman declared as per the aforementioned results, Mr. Louis Watkins (current member) is appointed to the expired term on the TEDA Board, representing Fletcher Technical Community College.

The Vice-Chairman called for a voice vote of the Council for the two General Public appointments on the TEDA Board, whereupon the following was recorded:

CHARLES ADAMS PATRICK SEELY

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

COLIN SEIBERT

K. Voisin
J. Cehan
P. Lambert
A. Tillman
A. Williams
T. Cavalier

The Vice-Chairman declared as per the aforementioned results, Mr. Charles Adams (current member) and Mr. Colin Seibert are appointed to the expired terms on the TEDA Board, representing the General Public.

The Vice-Chairman called for a voice vote of the Council for the Chamber of Commerce appointment on the TEDA Board, whereupon the following was recorded:

DARRIN GUIDRY PATRICK SEELY

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

MIKE BILLIOT CAROL LIRETTE

A. Tillman

DAVID BOUDREAUX

GLEN USIE

P. Lambert

The Vice-Chairman declared as per the aforementioned results, Mr. Darrin Guidry (current member) is appointed to the expired term on the TEDA Board, representing the Chamber of Commerce.

Councilman A. Tillman requested that agenda items 7A1 – Repairs to East Houma Gym; 7A2 – Grass cutting on Parish rights-of-way; and 7A3- “3-Way Stop” at Roselawn Avenue and Fig Street be deferred to the 8/26/09 meeting.

Agenda item 7B1 – Contract with Terrebonne Livestock and Agriculture Association had been handled earlier in the proceedings.

Councilman J. Cehan announced a Storm Surge Meeting, tomorrow, 8/13, at 5:00 p.m. at the South Lafourche Library which is in the old Wal Mart building in Golden Meadow and another one on 8/17 @ 5:00 p.m. at the Terrebonne Parish Main Library in Houma.

Councilwoman A. Williams announced the final Town Hall Meeting in Gray at the Southern Quarterback Club at 6:00 p.m. She announced that the Gibson Head Start will be opened.

There were no announcements made under agenda item 8B – Announcements, Parish President.

No action was necessary on agenda item 9A – Information List.

There were no matter addressed under agenda item 9B – Staff Reports, Parish President.

Ms. A. Williams, seconded by Mr. B. Hebert, “THAT, the Council accept the following Monthly Engineering Reports:

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted.

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: None

The Vice-Chairman declared the motion adopted and the meeting adjourned at 9:05 p.m.

VENITA H. CHAUVIN, MINUTE CLERK

ATTEST:

/S/ARLANDA J. WILLIAMS
ARLANDA J. WILLIAMS, CHAIRWOMAN
TERREBONNE PARISH COUNCIL

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