

PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN REGULAR SESSION
FEBRUARY 11, 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 J. Pizzolatto, Miss Katherine Motichek (Councilman B. Hebert's granddaughter) led the Pledge of Allegiance.

Upon roll call, Council Members recorded as present were: B. Hebert, T. Cavalier, J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, and A. Williams. Councilman A. Tillman was recorded as absent due to illness. A quorum was declared present.

Mr. J. Pizzolatto moved, seconded by Mr. K. Voisin, "THAT, the Council approve the minutes of the Regular Council Session held on 1/14/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. J. Cehan, "THAT, the Council approve the Parish Bill List dated February 11, 2009."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Council approve the Parish Manual Check List for November 2008."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED: Unanimously.

RESOLUTION NO. 09-066

WHEREAS, Black History Month has been celebrated in the United States for many years as a means of honoring the accomplishments, achievement and legacies of members of the African American community in this great country, and

WHEREAS, this annual recognition began in the 1920's as a means of recognizing the strides and contributions of numerous African Americans who were omitted from many of the history books in the United States, and

WHEREAS, the current celebrations of Black History Month center on the advancements made by African Americans in the United States and throughout the world, and

WHEREAS, the residents of Terrebonne Parish may take pride in knowing that African Americans have attained status in virtually all segments of the business, government and cultural life in this community, and

WHEREAS, African Americans have served as "royalty" in the local Mardi Gras Krewe, leaders and organizers in business ventures, and currently hold the position of Chairwoman of the Terrebonne Parish Council, and

WHEREAS, the month of February should always hold a special place in the hearts all residents so that the history and culture of African Americans may remain with all of us.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council, on behalf of the Parish President and the entire Terrebonne Parish Consolidated Government, that February 2009 be hereby declared BLACK HISTORY MONTH IN HOUMA-TERREBONNE.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the resolution adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized Mr. Mark Boudreaux, Executive Director of the Terrebonne Parish Communications District, who explained the District's request for local legislation and requested the Council's support for proposed legislation that will institute a service charge on prepaid wireless services in Terrebonne Parish.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Cehan

RESOLUTION NO. 09-067

A resolution requesting Terrebonne Parish's Legislative Delegation to introduce and support legislation that would allow for the assessment of a prepaid wireless 9-1-1 service charge in Terrebonne Parish.

WHEREAS, at the time that the Terrebonne Parish Communications District and the Enhanced 911 Emergency Response System were established, the use of wireless telephones and communications devices were at minimum use as compared to today, and

WHEREAS, the Communications District operates on a fee basis on wireline and wireless phone, determined by a tariff rate established by the Public Service Commission, and

WHEREAS, due to an increase in the use of wireless equipment for which air time is purchased in advance of usage, and the full access of said equipment to 9-1-1 services, the District Board has recommended that state legislation be introduced that would allow the collection of a service charge for same.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on the behalf of the Terrebonne Parish Consolidated Government, does hereby request the members of

Terrebonne Parish's Legislative Delegation to introduce and support proposed legislation that would allow for the assessment of a Prepaid Wireless 9-1-1 Service Charge in Terrebonne Parish, and

BE IT FURTHER RESOLVED that any charge for publication of a Notice of Local Legislation in *The Courier* be charged to the Terrebonne Parish Council.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairman declared the resolution adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized Miss Haley Billiot, Montegut resident, who presented Parish President M. Claudet with a picture from the recent LSU Agriculture 4-H Club Livestock auction at which Mr. Claudet purchased one of the animals and then donated it back for re-auction. Miss Billiot thanked Mr. Claudet as well as Councilman P. Lambert for a donation.

The Chairwoman recognized Mr. Alvin Bourg, Chauvin resident, who expressed appreciation for quick action taken at the Grand Bois Park. He stated there is one problem left with the drainage canal and requested that this matter be addressed.

The Chairwoman recognized Mrs. Pam Ponville, Point St. resident, who thanked Councilman A. Tillman for having the crane removed from Dunn St. She also thanked Parish President M. Claudet for addressing a situation that occurred this past weekend at the location on Dunn St. She expressed her concerns relative to the improper use of this property, safety issues, and requested that the zoning issue be addressed.

The Chairwoman recognized Mr. Ted Ponville, Point St. resident, who expressed his concerns to the improper use of the C-2 property on Dunn St. and requested that the codes, that are currently in effect, be enforced regarding the situation.

The Chairwoman recognized Mr. Norman Simon, Liberty St. resident, who expressed his concerns relative to the commercial activity that takes place behind 709 Dunn St. frightening residents due to possible damages to their homes. He also expressed his concerns relative to the fumes and noise from this location. He stated he recorded the noise level and it is almost double what OSHA requires for ear protection. He requested that the business be ordered to cease and desist the type of operation that is taking place on that piece of property.

Parish President M. Claudet stated that he will be meeting with the owner of Submar within the next few days and, in addition, a meeting will be set up with Mr. Ponville to discuss and address the situation on Dunn St.

Councilman K. Voisin expressed appreciation to Parish President M. Claudet for his quick response to the situation that occurred at the location on Dunn St. this past weekend because he was called about it, but was out of state.

The Chairwoman recognized Mr. Herdis Neil, Montegut resident, who expressed his concerns for an individual from the public being called down at the last Council meeting regarding his complaints about the lack of sufficient notice of meetings aired on TPTV and the quality of the programs aired. He also stated he met with Parish officials regarding drainage problems with property owned by the Harry Bourg Corp. and was told it will be addressed and requested that these problems definitely be addressed.

Councilman J. Cehan stated that a proposal would soon be brought to the Council and Parish President for improvements to the TPTV programming and to be more informative to the public.

The Chairwoman recognized Mr. Reggie Bourg, Bourg resident, who expressed his concerns relative to not having an opportunity to respond after a Council Member makes a comment. He expressed his concerns relative to TPTV not providing adequate information on meetings taking place, specifically the meeting that was held last night regarding Barrier Islands stabilization, reconstruction, and protection. He stated that the meeting was very poorly attended because residents did not know about it. He stated when preparing for hurricane evacuation and preparedness getting the message out with TPTV could be used. He stated that the public did not have an opportunity to give input in the initial planning stages. He stated that he realized that the proposal did not include closing off passes, but the islands will be rebuilt, in an attempt to provide hurricane protection. He said in the Dulac levees, how can there be hurricane protection when seven hundred feet of gaps will be open and no floodgate, etc.

Mr. K. Voisin moved, seconded by Mr. J. Pizzolatto, "THAT, the Council allow Mr. Reggie Bourg an additional minute to conclude his comments."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. Reggie Bourg continued his comments regarding his concerns with the public not being given input in the initial stages of a project and only until it is actually being constructed.

Councilman K. Voisin stated that TPTV could be a lot better than it is and if information can be placed on TPCG's website also to communicate to the public.

Mr. B. Hebert moved, seconded by Mr. J. Pizzolatto, "THAT, it now being 6:35 p.m., the Council open public hearings at this time."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

The Chairwoman recognized the public for comments on the following:

- A. A proposed ordinance dedicating and accepting "Wallace J. Thibodaux Estates, Addendum No. 5" into the Parish Maintenance System, and incorporating 'Schoolhouse Drive', 'Louis Emile Drive', 'James Edison Drive', and the extensions of 'Lillian Marie Drive' and 'Mathilde Marie Drive' into the Enhanced 911 Emergency Response System (continued from 1/28/09.)

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

Ms. T. Cavalier moved, seconded by Mr. B. Hebert, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 7599

AN ORDINANCE DEDICATING AND ACCEPTING THE MAINTENANCE/OPERATION OF THE STREET(S), DRAINAGE SERVITUDES, AND RIGHTS-OF-WAY FOR "WALLACE J. THIBODAUX ESTATES, ADDENDUM NO. 3" AND TO INCORPORATE "SCHOOLHOUSE DRIVE," "LOUIS EMILE DRIVE," "JAMES EDISON DRIVE," AND THE EXTENSION OF "LILLIAN MARIE DRIVE" AND "MATHILDE MARIE DRIVE" 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 October 28, 2008 by Milford & Associates, Inc. titled "Wallace J. Thibodaux Estates, Addendum No. 3," a copy of which is attached hereto and made a part hereof;

BE IT FURTHER ORDAINED effective on the 18th day of February, 2009, that "Schoolhouse Drive," "Louis Emile Drive," "James Edison Drive," and the extension of "Lillian Marie Drive" and "Mathilde Marie Drive" 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: B. Hebert, T. Cavalier, J. Pizzolatto, K. Voisin, C. Voisin, J. Cehan, P. Lambert and A. Williams.

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized the public for comments on the following:

- B. A proposed ordinance to authorize the acquisition of sites and/or servitudes by any legal means for the Bayou Terrebonne Drainage Improvements Project

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 7600

AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF SITES AND/OR SERVITUDES REQUIRED FOR THE HOLLYWOOD ROAD RECONSTRUCTION PROJECT, STATE PROJECT NO.742-55-002; FAP STP-3008(005)M; AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE SITES AND/OR SERVITUDES FOR THE SAID PURPOSES; TO AUTHORIZE THE PARISH LEGAL STAFF TO COMMENCE EXPROPRIATION PROCEEDINGS IN THE EVENT THE SITES AND/OR SERVITUDES CANNOT BE OBTAINED CONVENTIONALLY; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish Administration is hereby authorized to acquire any and all servitudes that are required to facilitate construction and maintenance of the Hollywood Road Reconstruction Project, State Project No. 742-55-0002; FAP STP-3008(005)M; that the Parish President, Michel Claudet, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to execute documents necessary to acquire the sites and/or servitudes for the above stated purpose for consideration he deems just and reasonable, not to exceed the A fair market value, and that the Parish Legal Department is hereby authorized, at the direction of the Parish Administration, to institute expropriation and/or any other legal proceedings necessary to acquire the necessary sites and/or servitudes for the above mentioned purposes.

SECTION II

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

SECTION III

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized the public for comments on the following:

- C. A proposed ordinance to authorize the acquisition of sites and/or servitudes by any legal means for the Bayou Terrebonne Drainage Improvements Project

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

Ms. T. Cavalier 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 Ms. T. Cavalier.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Ms. T. Cavalier.

SECONDED BY: Mr. K. Voisin.

ORDINANCE NO. 7601

AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF SITES AND/OR SERVITUDES REQUIRED FOR THE BAYOU TERREBONNE DRAINAGE IMPROVEMENT PROJECT, PARISH PROJECT NO.04-DRA-24; AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE SITES AND/OR SERVITUDES FOR THE SAID PURPOSES; TO AUTHORIZE THE PARISH LEGAL STAFF TO COMMENCE EXPROPRIATION PROCEEDINGS IN THE EVENT THE SITES AND/OR SERVITUDES CANNOT BE OBTAINED CONVENTIONALLY; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish Administration is hereby authorized to acquire any and all servitudes that are required to facilitate construction and maintenance of the Bayou Terrebonne Drainage Improvement Project, Parish Project No. 04-DRA-24; that the Parish President, Michel Claudet, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to execute documents necessary to acquire the sites and/or servitudes for the above stated purpose for consideration he deems just and reasonable, not to exceed the A fair market value, and that the Parish Legal Department is hereby authorized, at the direction of the Parish Administration, to institute expropriation and/or any other legal proceedings necessary to acquire the necessary sites and/or servitudes for the above mentioned purposes.

SECTION II

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

SECTION III

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

Terrebonne Parish, whichever occurs sooner.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized the public for comments on the following:

- D. A proposed ordinance to authorize the acquisition of sites and/or servitudes by any legal means for the Ashland North Sewer Lift Station and Force Main Project

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

Mr. C. Voisin 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. C. Voisin.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Cehan.

ORDINANCE NO. 7602

AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF SITES AND/OR SERVITUDES REQUIRED FOR THE ASHLAND NORTH SEWER LIFT STATION AND FORCE MAIN PROJECT, PARISH PROJECT NO.06-SEW-14; AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE SITES AND/OR SERVITUDES FOR THE SAID PURPOSES; TO AUTHORIZE THE PARISH LEGAL STAFF TO COMMENCE EXPROPRIATION PROCEEDINGS IN THE EVENT THE SITES AND/OR SERVITUDES CANNOT BE OBTAINED CONVENTIONALLY; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish Administration is hereby authorized to acquire any and all servitudes that are required to facilitate construction and maintenance of the Ashland North Sewer Lift Station and Force Main Project, Parish Project No. 06-SEW-14; that the Parish President, Michel Claudet, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to execute documents necessary to acquire the sites and/or servitudes for the above stated purpose for consideration he deems just and reasonable, not to exceed the A fair market value, and that the Parish Legal Department is hereby authorized, at the direction of the Parish Administration, to institute expropriation and/or any other legal proceedings necessary to acquire the necessary sites and/or servitudes for the above mentioned purposes.

SECTION II

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

SECTION III

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized the public for comments on the following:

- E. A proposed ordinance to authorize the acquisition of sites and/or servitudes by any legal means for the Highway 311/Enterprise Drive Bridge Project

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: C. Voisin and A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. B. Hebert.

ORDINANCE NO. 7603

AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF SITES AND/OR SERVITUDES REQUIRED FOR THE HIGHWAY 311/ENTERPRISE DRIVE BRIDGE PROJECT, PARISH PROJECT NO.08-BRG-17; AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE SITES AND/OR SERVITUDES FOR THE SAID PURPOSES; TO AUTHORIZE THE PARISH LEGAL STAFF TO COMMENCE EXPROPRIATION PROCEEDINGS IN THE EVENT THE SITES AND/OR SERVITUDES CANNOT BE OBTAINED CONVENTIONALLY; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish Administration is hereby authorized to acquire any and all servitudes

that are required to facilitate construction and maintenance of the Highway 311/Enterprise Drive Bridge Project, Parish Project No. 08-BRG-17; that the Parish President, Michel Claudet, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to execute documents necessary to acquire the sites and/or servitudes for the above stated purpose for consideration he deems just and reasonable, not to exceed the A fair market value, and that the Parish Legal Department is hereby authorized, at the direction of the Parish Administration, to institute expropriation and/or any other legal proceedings necessary to acquire the necessary sites and/or servitudes for the above mentioned purposes.

SECTION II

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

SECTION III

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin and A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

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The Chairwoman recognized the public for comments on the following:

- F. A proposed ordinance to authorize the acquisition of sites and/or servitudes by any legal means for the Chabert Medical Center/Industrial Boulevard Levee Project.

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

Mr. B. Hebert 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. B. Hebert.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: C. Voisin and A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. B. Hebert.

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

ORDINANCE NO. 7604

AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF SITES AND/OR SERVITUDES REQUIRED FOR THE CHABERT MEDICAL CENTER/INDUSTRIAL BLVD. LEVEE PROJECT, PARISH PROJECT NO. 08-LEV-45; AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE SITES AND/OR SERVITUDES FOR THE SAID PURPOSES; TO AUTHORIZE THE PARISH LEGAL STAFF

TO COMMENCE EXPROPRIATION PROCEEDINGS IN THE EVENT THE SITES AND/OR SERVITUDES CANNOT BE OBTAINED CONVENTIONALLY; AND TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO.

SECTION I

BE IT ORDAINED by the Terrebonne Parish Council, in due, regular and legal sessions convened, that the Parish Administration is hereby authorized to acquire any and all servitudes that are required to facilitate construction and maintenance of the Chabert medical Center/Industrial Blvd. Levee Project, Parish Project No. 08-LEV-45; that the Parish President, Michel Claudet, is hereby authorized and empowered for and on behalf of the Terrebonne Parish Consolidated Government to execute documents necessary to acquire the sites and/or servitudes for the above stated purpose for consideration he deems just and reasonable, not to exceed the A fair market value, and that the Parish Legal Department is hereby authorized, at the direction of the Parish Administration, to institute expropriation and/or any other legal proceedings necessary to acquire the necessary sites and/or servitudes for the above mentioned purposes.

SECTION II

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

SECTION III

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: C. Voisin and A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

* * * * *

The Chairwoman recognized the public for comments on the following:

- G. A proposed ordinance to amend the 2009 Adopted Budget for the funding from the State of La. Division of Administration Office of Community Development – Disaster Recovery Unit for the Operation Boat Launch Project

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

The Chairwoman recognized Mr. Al Levron, Capital Projects Administrator, who explained that in 2007, the Parish applied for a grant to the La. Recovery Authority for boat launch improvements for the Fisheries Infrastructure Project. This project was funded in the amount of \$750,000. which includes further improvements to the South Houma Boat Launch, Texas Gulf Road, as well as the Ashland Boat Launch. He stated the proposed ordinance puts the money into the budget in order to proceed.

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

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

ORDINANCE NO. 7605

AN ORDINANCE TO AMEND THE 2009 ADOPTED BUDGET FOR THE FUNDING FROM THE STATE OF LOUISIANA DIVISION OF ADMINISTRATION OFFICE OF COMMUNITY DEVELOPMENT (OCD) – DISASTER RECOVERY UNIT FOR OPERATION BOAT LAUNCHES PROJECT.

SECTION I

WHEREAS, in the aftermath of Hurricanes Katrina and Rita, the State’s Community Development Block Grant program has a disaster recovery allocation within the Infrastructure Program for the purpose of providing funding for the implementation of local long-term recovery plans in the most heavily impacted areas of the state, and

WHEREAS, OCD, as the administrator of the Disaster Recovery Program, is awarding Disaster Recovery funds to the Parish in the amount of \$730,000, and

WHEREAS, this grant award is for the purpose of funding the implementation of the selected fisheries infrastructure recovery projects.

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 provide funding for the Operations Boat Launch Projects. (Attachment A)

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

* * * * *

ATTACHMENT A - OPERATIONS BOAT LAUNCH

	2009		
	Adopted	Change	Amended
Operations Boat Launch	-	730,000	730,000
Operations Boat Launch Revenue	-	(730,000)	(730,000)

The Chairwoman recognized the public for comments on the following:

- H. A proposed ordinance to amend the 2009 Adopted Budget for the funding from the U.S. Department of Housing and Urban Development for a Disaster Housing Assistance Program due to Hurricane Ike, and to amend the 2009 budgeted positions to implement this program

The Chairwoman recognized Mr. Herdis Neil, Montegut resident, who suggested that if Community Development Block Grant funds could be used for Urban Development and Housing, the Council should consider it.

Parish President M. Claudet stated that the proposed ordinance is for a completely different program than the Community Development Block Grants, which will be discussed at tomorrow's meeting.

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

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

ORDINANCE NO. 7606

AN ORDINANCE TO AMEND THE 2009 ADOPTED BUDGET FOR THE FUNDING FROM U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR DISASTER HOUSING ASSISTANCE PROGRAM DUE TO IKE (DHAP-IKE) AND TO AMEND THE 2009 BUDGETED POSITIONS TO IMPLEMENT THIS PROGRAM.

SECTION I

WHEREAS, Resolution Number 08-441 authorized the Parish President to sign and submit the Disaster Housing Assistance Program-Ike (DHAP-Ike) grant agreement, and

WHEREAS, Federal Emergency Management Agency (FEMA) has announced that DHAP-Ike Program will provide housing assistance and case management for homeowners and renters who were displaced by the 2008 hurricanes, and

WHEREAS, HUD will provide temporary housing assistance until March 2010, and

WHEREAS, only those families who meet FEMA's eligibility requirements for housing assistance under the Individuals and Households Program will be referred to HUD, and

WHEREAS, at this time with the preliminary numbers acquired, the grant is for \$2,441,644.

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 provide funding for the DHAP-Ike Program. (See Attachment A)

SECTION II

WHEREAS, to assist in the implementation of the DHAP-Ike Program, the Housing and Human Services Director has evaluated the staffing needs for this program and has determined the necessity of adding three Clerk IV's with Administration's concurrence, and

WHEREAS, the cost of this direct labor including fringes is estimated to be \$117,179 for eleven months, and

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Budgeted Positions of the Terrebonne Parish Consolidated Government be amended to provide staffing needs to implement the DHAP-Ike Program. (See Attachment B)

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

AMENDMENT A - DHAP - IKE PROGRAM

	2009	
	Adopted	Amended
Salaries and Wages	74,256	74,256
Allocated Salaries	33,921	33,921
Allocated Fringes	17,249	17,249
FICA	4,604	4,604
Medicare	1,077	1,077
Pension	4,455	4,455
Group Insurance	41,490	41,490
Unemployment Comp	1,693	1,693
Workman's Comp	256	256
Employment Physicals	2,000	2,000
Office Supplies	5,000	5,000
Housing Assistance Payments	1,626,325	1,626,325
Security Deposits	162,633	162,633
Utility Deposits	75,000	75,000
Travel - Mileage	2,000	2,000
Office Equipment	3,600	3,600
FEMA - DHAP	(2,441,644)	(2,441,644)
Fund Balance (Increase)	386,085	386,085

AMENDMENT B - DHAP - IKE PROGRAM BUDGETED POSITIONS

232-614 DHAP-IKE PROGRAM

JOB TITLE	Clerk IV
ADOPTED	0
CHANGE	3
AMENDED	3
LEVEL	57
MIN/MID/MAX	\$20,494/\$26,704/\$32,897

The Chairwoman recognized the public for comments on the following:

- I. A proposed ordinance to rezone from R-1 (Single-Family Residential District) to C-3 (Neighborhood Commercial District), 14.5 acres of land belonging to E.E. Wright

The Chairwoman recognized Mr. Eddie Pullaro, attorney representing the client who recently purchased two of three properties on tonight's agenda requesting rezoning (Items 6:30 I, J, & K), who requested that these two requests (Items 6:30 J & K) be withdrawn from consideration.

The Chairwoman recognized Mr. Herdis Neil, Montegut resident, who suggested that the Houma Zoning Commission's recommendation be followed regarding rezoning requests.

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. C. Voisin.

ORDINANCE NO. 7607

AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-3 (NEIGHBORHOOD COMMERCIAL DISTRICT), 14.5 ACRES OF LAND BELONGING TO E.E. WRIGHT, SECTION 104, T17S-R17E, TERREBONNE PARISH, LOUISIANA; MARFO, INC., APPLICANT.

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

WHEREAS, the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, has conducted a public hearing on Wednesday, February 11, 2009; and

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

NOW, THEREFORE, BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Zoning Map of the Parish of Terrebonne be hereby amended so as to rezone from R-1 (Single-Family Residential District) to C-3 (Neighborhood Commercial District), 14.5 acres of land belonging to E.E. Wright, Section 104, T17S-R17E, Terrebonne Parish, Louisiana; Marfo, Inc., Applicant.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairwoman declared the ordinance adopted on this, the 11th day of February, 2009.

* * * * *

Councilman K. Voisin explained that there are three pieces of land on the agenda requesting rezoning and 6:30 I has not changed, the rezoning request still stands, the Zoning Commission recommends rezoning, and the neighbors are not opposed.

Councilman C. Voisin stated that this particular area borders District 7 and the proposed rezoning of item 6:30 I will allow the Parish to get the opportunity to obtain free dirt to put a levee up that is much needed in that area along the Intracoastal Canal.

Chairwoman A. Williams read aloud a letter from attorney Eddie N. Pullaro to Council Clerk Paul Labat, dated February 11, 2009, regarding E.E. Wright, Edward E. Wright, Rezone, which stated the following:

“With reference to the above captioned matter and our conversation this date, please withdraw from the Public Hearings scheduled at 6:30 p.m. this date Items J and K for rezoning. My client, South Hollywood Properties #1, LLC just recently purchased the tracts from Martin Folse d/b/a Marfo, Inc. and as the owner of these properties has elected to request that the Parish Council withdraw the rezoning for consideration until such time that a more definitive plan of development can be considered by all parties.

This request does not apply to Item I which is other property of Martin Folse d/b/a Marfo, Inc.”

The Chairwoman recognized the public for comments on the following:

- J. A proposed ordinance to rezone from I-2 (Heavy Industrial District) and R-1 (Single-Family Residential District) to R-1 (Single-Family Residential District), 43.749 acres of Tract “B” of property belonging to Edward E. Wright

The Chairwoman recognized Mr. Eddie Pullaro, attorney, who requested that the previously read letter be made part of the hearing. He explained that his client purchased properties from Marfo, LLC and after reviewing the development, there is a residential area that abuts Barrios Subdivision and there is also a strong large industrial area adjacent to the property. He said the initial plan was for all residential in that area, which is now determined would be very difficult to ask someone to build a home next to a major industrial complex. He stated that further planning needs to be done on the property before coming back with a plan for approval to better suit the needs of the area and requested that 6:30 J & K be withdrawn.

The Chairwoman recognized Mr. Berwick Duval, attorney representing adjacent industrial property and business owner, who stated that his client supports withdrawing the proposed rezoning on items 6:30 J and K. He stated that his client did not receive any notice of the Planning Commission action and would request notice in the future for any proposed zoning changes of this property.

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

Mr. K. Voisin moved, seconded by Mr. C. Voisin, “THAT, the Council continue the public hearing for sixty days on the proposed ordinance to rezone from I-2 (Heavy Industrial District) and R-1 (Single-Family Residential District) to R-1 (Single-Family Residential District), 43.749 acres of Tract “B” of property belonging to Edward E. Wright.” *(MOTION WITHDRAWN AFTER BRIEF DISCUSSION.)

Upon questioning by Councilman J. Pizzolatto, Interim Parish Manager P. Gordon stated that if a different application were submitted to the Planning Commission they would have to submit with another fee. He suggested that the Council make a motion to take no action on the matter.

*Mr. K. Voisin withdrew the motion and Mr. C. Voisin withdrew the second.

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. C. Voisin, "THAT, the Council take no action on the proposed ordinance rezoning from I-2 (Heavy Industrial District) and R-1 (Single-Family Residential District) to R-1 (Single-Family Residential District), 43.749 acres of Tract "B" of property belonging to Edward E. Wright."

The Chairwoman recognized the public for comments on the following:

- K. A proposed ordinance to rezone from I-2 (Heavy Industrial District) and R-1 (Single-Family Residential District) to R-1 (Single-Family Residential District), 5.500 acres of Tract "B" of property belonging to Edward E. Wright

Mr. Pullaro and Mr. Duval asked that their previous comments apply to Item 6:30 K as well.

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. C. Voisin, "THAT, the Council take no action on the proposed ordinance rezoning from I-2 (Heavy Industrial District) and R-1 (Single-Family Residential District) to R-1 (Single-Family Residential District), 5.500 acres of Tract "B" of property belonging to Edward E. Wright."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Budget & Finance Committee meeting held on 2/9/09, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 2/25/09, rendered the following:

BUDGET & FINANCE COMMITTEE

FEBRUARY 9, 2009

The Chairman, Billy Hebert, called the Budget & Finance Committee meeting to order at 5:34 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Tillman and the Pledge of Allegiance led by J. Pizzolatto. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

Mr. C. Voisin moved, seconded by Mr. J. Cehan, "THAT, the Budget & Finance committee introduce an ordinance to amend the 2009 Budgeted Positions to add an Administrative Technician I and delete a Laborer III in the Public Works Department, Road and Bridge Division; and call a public hearing on said matter on February 25, 2009 at 6:30 p.m."

Public Works Director Lt. Col. (Ret.) Greg Bush explained that the addition of one Administrative Technician I position would provide staffing in the front office when other personnel are attending to other business outside of the department. He further explained that the Laborer III position has been vacant for two years and is not needed at this time.

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.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-068

A resolution authorizing the Parish President to negotiate and execute a cooperative endeavor agreement with the Parish Sheriff's Office for the 2009 Public Safety Program, and

WHEREAS, Parish Officials with the Consolidated Government and Sheriff's Office are continuing their joint efforts which began in 2008 on the education and promotion of public safety, and

WHEREAS, the Parish budgeted up to \$100,000 in the 2009 Budget for the expansion of Public Safety Programs, and

WHEREAS, the Parish has estimated costs for the joint law enforcement promotion of public safety to be \$56,100, plus \$5,000 for the purchase of equipment.

NOW, THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to negotiate and execute a cooperative endeavor agreement with the Terrebonne Parish Sheriff's Office and to address other matters relative thereto.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: J. Cehan.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

Public Works Director Lt. Col. (Ret.) Greg Bush stated that he was unsure as to the contractual time period for services with AMR’s Lawn Service and that he does not believe that the contract provides for herbicidal spraying at Parish Lift Stations and Treatment Plant Facilities.

Purchasing Manager Angela Guidry interjected that since 2006, AMR’s Lawn Service has been providing grass cutting services at 55 sites within the Parish for the Pollution Control Division; that additional sites have been added to the contract; that AMR’s Lawn Service is certified to use herbicides as outlined within the guidelines of the LA Department of Agriculture; and noted that the herbicides can not be sprayed near bayous and waterways.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-069

WHEREAS, quotes were obtained by Terrebonne Parish Consolidated Government for the purpose of Annual Contract for Grass Cutting of Sewer Lift Stations and Treatment Plant Facilities, and

WHEREAS, after careful review by Gregory Bush, Public Works Director, Mike Ordogne, Pollution Control Administrator, it has been determined that the price of Thirty-six Thousand Dollars (\$36,000.00) be accepted and that award be made to AMR’s Lawn Service for Grass Cutting of Sewer Lift Station and Treatment Plant Facilities should be accepted as per the attached documents, and

WHEREAS, the Parish Finance Department, has verified that funds are budgeted and available in the 2009 Account Numbers 310-431-8325-01, 310-432-8325-01, for the above referenced services, and

WHEREAS, the Parish Administration has recommended the acceptance of the price of Thirty-six Thousand Dollars (\$36,000.00) for the aforementioned services not to exceed the budgeted amounts 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 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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert.

RESOLUTION NO. 09-070

A resolution awarding the Annual Service Contract for Grass Cutting of Vegetation and Offensive Accumulations Along Abandoned Properties (Bid Number 08-1/9-57) to AMR’s Lawn and Landscape, LLC, in the amount of EIGHTEEN THOUSAND, NINE HUNDRED DOLLARS, (\$18,900.00) for the purpose of securing an annual service contract for a period of

one (1) year with the option of being renewed for two (2) additional one (1) year periods, upon mutual agreement of both parties, under the same terms and conditions and at the same prices quoted, and

WHEREAS, on January 8, 2009 sealed bids were received by the Terrebonne Parish Consolidated Government, for the grass cutting and offensive accumulations along abandoned properties, and

WHEREAS, upon careful review by Patrick Gordon, Planning and Zoning Director, and Angela Guidry, Purchasing Manager it has been determined that the bid of AMR's Lawn & Landscape, LLC is the lowest and responsive quotation in the amount of EIGHTEEN THOUSAND, NINE HUNDRED DOLLARS, (\$18,900.00), 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, the Parish Administration has recommended the acceptance of the bid price received for the aforementioned service contract for grass cutting and offensive accumulations along abandoned properties as per attached documents.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, authorizes the Parish President to execute any and all necessary documents to enter into an agreement with AMR's Lawn and Landscape, LLC for a period of one (1) year with the option of being renewed for two (2) additional one (1) year periods, upon mutual agreement of both parties, under the same terms and conditions and at the same prices quoted, and to address other matters relative thereto.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

Mr. A. Tillman moved, seconded by Mr. P. Lambert, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2009 Adopted Budget to recognize the de-obligation of a grant with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) as well as to recognize a grant from the Office of Public Health and call a public hearing on said matter on February 25, 2009 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. J. Pizzolatto moved, seconded by Ms. A. Williams, "THAT, the Budget & Finance Committee retain the matter relative to amending the 2009 Adopted Budget to provide for additional funding for the implementation of the Waters Compensation Plan in committee for two weeks."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

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

The Chairman called for the vote on the motion offered by Mr. 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 and the meeting was adjourned at 5:40 p.m.

Billy Hebert, Chairman

Suzette Thomas, Minute Clerk

Mr. B. Hebert moved, seconded by Mr. J. Cehan, "THAT, the Council accept and ratify the minutes of the Budget & Finance Committee meeting held on 2/9/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: J. Pizzolatto and A. Tillman

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Policy, Procedure, & Legal Committee meeting held on 2/9/09, whereupon the Committee Chairman rendered the following:

POLICY, PROCEDURE, & LEGAL COMMITTEE

FEBRUARY 9, 2009

The Chairman, Clayton J. Voisin, called the Policy, Procedure, & Legal Committee meeting to order at 5:47 p. m. in the Terrebonne Parish Council Meeting Room with the Invocation led by J. Pizzolatto and the Pledge of Allegiance led by B. Hebert. Upon roll call, Committee Members recorded as present were: T. Cavalier, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. Committee Member J. Cehan entered the proceedings at 5:49 p.m. A quorum was declared present.

Mr. A. Tillman moved, seconded unanimously, "THAT, the Policy, Procedure, & Legal Committee concur with the recommendation of Administration to co-sponsor the Annual 5K Run For Excellence to be held on May 9, 2009."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: J. Cehan.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Pizzolatto and Ms. A. Williams, "THAT, the Policy, Procedure, & Legal Committee approve and authorize the Parish President to execute the annual fire dispatch service agreement between the Terrebonne Parish Communications District and the Houma Fire Department for the fire department's cost of fire dispatching services."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Committee Member J. Cehan entered the proceedings at 5:49 p.m.

Ms. A. Williams moved, seconded by Mr. B. Hebert, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to a request by representatives of Physician's Medical Center to participate in the Parish Government's 'in network' health care system in committee."

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.

Mr. J. Pizzolatto moved, seconded by Mr. B. Hebert, "THAT, the Policy, Procedure, & Legal Committee retain, for two weeks, the matter relative to adopting a new Parish Compensation and Classification Plan, as per the independent study prepared by the Waters Consulting Group."

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.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 09-071

A RESOLUTION AUTHORIZING THE AMENDMENT OF CONTRACT TERMS FOR THE HOUMA TERREBONNE CIVIC CENTER AND AUTHORIZING THE PARISH PRESIDENT TO EXECUTE THE NECESSARY DOCUMENTS REGARDING THE RENTAL OF THE CIVIC CENTER BY CONQUEST SPORTS

WHEREAS, in an effort to promote the Civic Center and its use for recreational events, Conquest Sports has negotiated with the Houma Terrebonne Civic Center to rent the facility for its indoor sporting events on multiple occasions; and

WHEREAS, the use of the Civic Center by Conquest Sports on multiple occasions will provide both a recreational and economic development opportunity for Terrebonne Parish; and

WHEREAS, included in the negotiations and in consideration of multiple booking dates for Conquest Sports indoor football league the Parish has recommended certain amendments to the contract terms for the Civic Center as contained in Exhibit A; and

WHEREAS, Section 2-406 of the Parish Code provides that the Parish Council shall have sole power and discretion to waive any and all rental fees or other types of fees established in conjunction with the Houma Terrebonne Civic Center; and

WHEREAS, other than the rental of the Civic Center facility, the Terrebonne Parish Consolidated Government has no association with or interest in Conquest Sports; and

NOW THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Policy, Procedure and Legal Committee), on behalf of Terrebonne Parish Consolidated Government does hereby authorize the amendment of contract terms for the Houma Terrebonne Civic Center for a series of six indoor football games as contained in Exhibit A; and

BE IT FURTHER RESOLVED with Terrebonne Parish President Michel H. Claudet is hereby authorized to execute an agreement between the Terrebonne Parish Consolidated Government and the Representatives of Conquest Sports for the amended Civic Center contract substantially in accordance with the terms set out in Exhibit A.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: A. Tillman.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

EXHIBIT A

**HOUMA-TERREBONNE CIVIC CENTER
AUTHORIZED USER CONTRACT AGREEMENT**

This Agreement made JANUARY 23, 2009, between Terrebonne Parish Consolidated Government, owner and operator of the Houma-Terrebonne Civic Center

346 Civic Center Boulevard, Houma, LA 70360, sometimes hereinafter referred to as "Houma-Terrebonne Civic Center" and

User: **CONQUEST SPORTS**
 User Contact Name: **MR. FRANKLIN THOMAS**
 User Address: **1612 ELLINGSWORTH DR., SLIDELL, LA 70461**

User Telephone Number: **(504) 261-4044**

WHEREAS, Terrebonne Parish Consolidated Government operates the Houma-Terrebonne Civic Center through the Civic Center Director in the City of Houma, Louisiana, Parish of Terrebonne.

WHEREAS, Authorized User desires to use space in said Houma-Terrebonne Civic Center.

NOW THEREFORE, and in consideration of the following Promises, Covenants, and Conditions, the parties hereto agree as follows:

1. FACILITIES USE:

A. Terrebonne Parish Consolidated Government does hereby grant to Authorized USER, permission to use the specified area(s) listed below at the Houma- Terrebonne Civic Center for the following use and no other purpose.

Specific Area(s) HALL A & B
 Function Name CONQUEST SPORTS INDOOR FOOTBALL

B. This license agreement is granted for a period of (6 DAYS -APRIL 26, JUNE 6, JUNE 22, JUNE 27, JULY 3, JULY 11, 2009, (herein after "License Agreement Period").

2. CONTRACT:

In order for this contract to be fully completed and binding, a signed copy must be returned to the Houma-Terrebonne Civic Center Director on or before JANUARY 23, 2009. Director must sign license agreement. USER must pay all deposits required.

3. PAYMENT/DEPOSITS

A. USER shall, having been granted the non-assignable right to use the following premises as listed below and in consideration for the use of the specific area described herein, USER agrees to pay Houma-Terrebonne Civic Center, the sum of \$ 4200.00 (PER DATE), plus all charges for services or equipment either requested by USER or required by the Houma-Terrebonne Civic Center for USER'S function.

EVENT TIME		<u>TBD</u>	
	ROOM		<u>HALL A & B</u>
RENTAL FEE		<u>\$ 25,200 (4200.00 PER DATE)</u>	
		<u>\$</u>	
	SUBTOTAL	<u>\$ 25,200</u>	
	MOVE IN FEE	<u>\$</u>	
	SET-UP FEE	<u>\$</u>	
	TOTAL	<u>\$ 25,200</u>	
	PARKING LOT FEE, if applicable	<u>\$</u>	
	GRAND TOTAL	<u>\$ 25,200</u>	

B. USER shall, on or before the following dates, deposit with the Houma-Terrebonne Civic Center the required amounts as specified:
DEPOSIT AMOUNT: 1ST \$ 4200 DUE JANUARY 23, 2009 2nd \$4200 DUE FEBRUARY 23,2009
 3rd \$4200 DUE MARCH 23, 2009
\$ 2,100.00 DUE: 7 CALENDAR DAYS PRIOR TO EACH GAME.

**** PRICE LIST ATTACHED FOR ANY OTHER ADDITIONAL SERVICES/EQUIPMENT WHICH MAY BE REQUESTED/REQUIRED.**

All payments are to be made payable to Houma-Terrebonne Civic Center, 346 Civic Center Blvd., Houma, LA 70360.

C. In the event the function is canceled, all rental deposits will not be refunded and shall be deemed the minimum rent. All addendum costs for labor, services supplied, and equipment actually used must be paid for by USER from the deposit or directly if deposit has not been paid at the time of the cancellation.

D. Failure to make advance deposits on time shall constitute immediate breach of this agreement by USER. It is agreed that in that event, Houma-Terrebonne Civic Center will retain the deposit in the rental theretofore collected and USER agrees that liquidated damages in

that amount are reasonable. All deposits will be credited against costs when event is invoiced. Incidental costs and balance of rental fee, if any, is due upon receipt of invoice.

4. CATERING, CONCESSIONS AND PARKING EXCLUSIVITY

- A. The Houma-Terrebonne Civic Center's official in-house concessionaire and caterer is exclusively the only firm allowed to serve food and beverage of any kind or quantity on Center property that is packaged to be consumed on the premises. Consumables that are to be given to attendees free of charge must be arranged for with the in-house concessionaire. On those items that Houma-Terrebonne Civic Center specifically grants concessions rights, the USER will pay Houma-Terrebonne Civic Center a 35% (thirty-five percent) commission on total sales, net of applicable state sales tax which will be held by Houma-Terrebonne Civic Center. USER may not contract out with an outside source for furnishing the same without written consent of Houma-Terrebonne Civic Center Director.
- B. Houma-Terrebonne Civic Center reserves all rights not specifically granted to USER under the terms hereof, including but not limited to, all parking rights and privileges, the sale of all concessions items, programs, novelties, including but not limited to the sale of alcoholic beverages, and all rights to set up and operate any and all concessions. The USER shall not sell, bring to Premises, or provide any food, refreshments, beverages, tobacco products, flowers, candies, printed matter of any kind, photographs or any other materials without the prior written consent of the Houma-Terrebonne Civic Center Director. USER further agrees to submit to Houma-Terrebonne Civic Center Director a complete list of exhibitors, if applicable, along with a description of the products or services that will be sold or distributed by such exhibitors. The purpose of this list is to protect against USER's infringement of Houma-Terrebonne Civic Center's exclusive rights hereunder.

5. INSURANCE:

- A. USER shall provide an original certificate of insurance evidencing comprehensive liability and property damage with coverage of at least one million dollars (\$1,000,000) combined single limit. The coverage must be on a per occurrence basis and must be issued by a company licensed to provide such coverage in the State of Louisiana, naming, TERREBONNE PARISH CONSOLIDATED GOVERNMENT, HOUMA, LOUISIANA as additionally insured.
- B. The certificate of insurance must be filed with the Houma-Terrebonne Civic Center office.
- C. USER of the meeting room/s only shall provide an original certificate of insurance evidencing comprehensive liability and property damage with coverage of at least five hundred thousand dollars, (\$500,000) combined single limit. The coverage must be on a per occurrence basis and must be issued by a company licensed to provide such coverage in the State of Louisiana, naming, TERREBONNE PARISH CONSOLIDATED GOVERNMENT, HOUMA, LOUISIANA as additionally insured.

6. INDEMNIFICATION:

- A. USER shall conduct its activities upon the premises so as not to endanger any person lawfully thereon. USER agrees to defend, indemnify, save and hold harmless the Terrebonne Parish Consolidated Government, including all departments, agencies, boards and commissions, their officers, agents, servants and employees, including volunteers, from and against any and all claims, demands, expenses and liability arising out of injury or death to any person or the damage, loss or destruction of any property which may occur or in any way grow out of any act or omission of USER, its agents, servants, and employees. This indemnification shall apply to any strict liability of the Terrebonne Parish Consolidated Government, all departments, agencies, boards, commissions, their agents, representatives, and/or employees. USER agrees to investigate, handle, respond to, provide defense for and defend any such claim, demand or cause of action at its sole expense related thereto, even if the claim, demand or cause of action is groundless, false, or fraudulent.
- B. The USER hereby assumes full responsibility for the acts and conduct of all persons admitted to the premises by consent of USER, and USER agrees to pay damages for any damage to the facility or premises resulting from USER's use or occupancy thereof, or from persons participating with or attending the function contemplated by this agreement.

7. COOPERATION WITH ALL OTHER USERS:

USER acknowledges that the Houma-Terrebonne Civic Center will make available, for use by others, such portions, areas and facilities of the Houma-Terrebonne Civic Center that are not subject to this agreement. The USER agrees to cooperate in good faith with the Houma-Terrebonne Civic Center and those persons using other portions and areas of the Houma-Terrebonne Civic Center.

8. RENTAL OPERATIONS MANUAL:

- A. All of the terms and provisions contained in the "Rental Operations Manual" and Applicable Addendums as specified below for the Houma-Terrebonne Civic Center are applicable to this Authorized User Agreement and are made a part hereof as though printed in their entirety.
- B. USER has received a copy of the following documents and agrees to abide by said "Rental Operations Manual" and said Addendum contents and any modifications of said Document upon written receipt of written notification of such modifications. Pertaining to and included as a part of this contract are the following:
1. Rental Operations Manual (available upon request)
 2. Rental Rate Terms and Conditions (available upon request)
 3. Attached Proposal dated November 17, 2008
- C. The parties hereto agree that the terms and conditions of this USER Agreement set forth the entire agreement of the Parties hereto and cannot be changed or modified except by an instrument signed by the parties sought to be bound. This shall not limit the Houma-Terrebonne Civic Center from imposing any reasonable additional policies or rules and regulations, which may be necessary in the best interest for the operation of the facility.

9. RETENTION OF LOST ARTICLES:

- A. The Houma-Terrebonne Civic Center shall have the sole right to collect and shall have custody of articles left, lost or checked in the Premises by persons attending any performances, exhibitions or entertainment given or held in the Premises.

10. RELEASE:

- A. To the extent provided by law, USER, in using the Premises and other facilities of the Houma-Terrebonne Civic Center and equipment therein, whether

such equipment is specifically described or not, does so at its own risk. Terrebonne Parish Consolidated Government shall not be liable for any damages to property or damages arising from personal injuries sustained by USER or any of its agents, contractors, employees, patrons, performers, or guests, in or about the Premises, or any portion thereof, or any other portion of the Houma-Terrebonne Civic Center, including the Houma-Terrebonne Civic Center building, parking area, and walkways. USER assumes full responsibility for any property damage or injury which may occur to USER, its agents, contractors, employees, patrons, performers or guests in or about the Premises or other portions of the Houma-Terrebonne Civic Center, and USER does hereby fully and forever, on its own behalf as well as on behalf of its agents, release and discharge the Terrebonne Parish Consolidated Government including all Councils, departments, agencies, boards and commissions, their officers, agents, servants and employees, including volunteers, in both their individual and official capacities from any and all claims, demands, damages, rights of action or causes of action, present or future, whether the same be known, anticipated or unanticipated, resulting from or arising out of the Permitted Uses or other use of the Premises or any other portion of the Houma-Terrebonne Civic Center building, parking area, and walkways and any equipment thereof or contained therein, whether specifically described in this agreement or not.

11. BOX OFFICE/TICKETS/CAPACITY:

- A. Houma-Terrebonne Civic Center shall have complete and sole supervision of the sale and collection of all tickets and at such places as Houma-Terrebonne Civic Center, in its sole discretion, deems is necessary and expedient, unless otherwise provided in the following space.

TICKETMASTER

In the event provision is made in the space above for sale of any tickets by USER, the allocation of such tickets shall be made by Houma-Terrebonne Civic Center and arrangements satisfactory to Houma-Terrebonne Civic Center shall be made for the proceeds from the sale of such tickets to be turned over to the Houma-Terrebonne Civic Center together with an accurate statement of account of the sales.

- B. Houma-Terrebonne Civic Center shall have complete custody and control of all moneys received from the sale of tickets, wherever sold and admission fees wherever received. All such funds shall be rightful property of Houma-Terrebonne Civic Center, the purpose of applying same in accordance with the

- terms and conditions of the agreement toward payment of any balances for rent and/or otherwise due or to become due to Houma-Terrebonne Civic Center for any purpose whatsoever.
- Houma-Terrebonne Civic Center reserves the right to collect a one (1) dollar per ticket Facility Maintenance Fee, payable by the ticket buyer through the Ticketmaster Computerized Ticketing System.
- C. Houma-Terrebonne Civic Center Box Office will exert every caution against bad checks from customers and will make every effort to collect such, but ultimate responsibility is that of the USER.
- D. The USER shall arrange for and pay for printing of tickets, the form and contents of which shall in any event be subject to written approval by Houma-Terrebonne Civic Center. All tickets shall be numbered consecutively.
- E. The tickets for admission shall be scaled as follows:

TBD

- F. Three percent (3%) of Gross is to be paid to Houma-Terrebonne Civic Center for Ticketmaster Box Office Service
- G. Discounted tickets must be approved in writing by Houma-Terrebonne Civic Center. Any tickets used for payment of advertising are subject to normal percentage of gross charges.
- H. No tickets may be ordered for any event until a signed USER Agreement, with any required deposits, has been received by Director.
- I. The Box Office may order and will take charge of all tickets for all events under Houma-Terrebonne Civic Center control.
- J. Any change in the "scaling" of the house must be approved by Houma-Terrebonne Civic Center.
- K. No moneys will be released from the Box Office until after the conclusion and settlement of the performance.
- L. All unsold tickets remain with Houma-Terrebonne Civic Center.
- M. USER shall not permit the sale or distribution of tickets or passes in excess of the seating capacity of the premises, nor admit a larger number of persons than can safely or freely move about therein.
- 12. TAXES**
- A. User hereby acknowledges that Houma-Terrebonne Civic Center requires full compliance of all Federal, State and Local statutes and regulations as they may pertain to any and all activities conducted within these facilities. This compliance includes sales activities and the mandated collection and remittance of all appropriate State and Local Sales Taxes.
- 13. WAGES:**
- A. USER agrees to pay or cause to be paid the prevailing wage to all persons employed by or for the benefit of USER. Such pay shall include any applicable overtime or holiday wage rate.
- 14. PAYMENT TO CONTRACTORS AND CONCESSIONS:**
- A. All charges for contractual labor, service connections, and other accounts payable to independent contractors must be paid in full upon presentation of invoice unless other arrangements for payment are specifically authorized by the contractor.
- 15. NON-DISCRIMINATION:**
- A. The USER shall not discriminate against any person or persons in connection with admission, services, or privileges offered to or enjoyed by the general public because of race, creed, ancestry, sexual orientation, disability, color, sex, marital status, age, religion, or national origin.
- 16. LEGAL RECOURSE:**
- A. In the event USER violates any of the terms or conditions of the Use permit, the Houma-Terrebonne Civic Center shall have, in addition to any other legal recourse, the right to terminate this Use permit and obtain possession of the entire facility, and to remove and exclude the USER without service of notice and without any legal liability on its part.
- 17. COMPLIANCE WITH LAW:**
- A. USER, at its sole cost and expense, shall comply and secure compliance with requirements, and shall faithfully observe and secure observance in the use of the premises of all municipal ordinances and State and Federal Statutes now in force or which may hereafter be in force.
- 18. SUBLETTING AND ASSIGNMENT:**
- A. USER shall not sublet the premises, nor assign, hypothecate or mortgage this Use Permit or any of his right hereunder, without the prior written consent of the Houma-Terrebonne Civic Center.
- 19. LIENS AND ATTORNEY FEES:**
- A. USER agrees to pay promptly the costs, expenses, and other charges incidental to the use and occupation of the facilities authorized herein and to hold Terrebonne Parish Consolidated Government harmless from, and to indemnify it against, any such expenses and charges and from all claims, demands, and liens of whatever character arising by reason of contract, expressed or implied, or negligence, or any part of any other act of omission on the part of any person other than Terrebonne Parish Consolidated Government. USER agrees that in the event the Terrebonne Parish Consolidated Government retains an attorney to pursue collection of any sums due to it by USER in connection with this Authorized User Contract Agreement and its ancillary documents, USER will be liable for all reasonable attorney's fees incurred by the Terrebonne Parish Consolidated Government, plus legal interest and court costs accruing from the date of judicial demand until paid, and any and all expenses incurred in connection therewith.
- 20. FORCE MAJEUR:**
- A. In the event the USER's obligations to the Terrebonne Parish Consolidated Government under this agreement be delayed, prevented or rendered impractical by any of the following events; fire, flood, riot, earthquake, civil commotion, strike, lockout, labor disturbances, explosions, sabotage, accident, war, other casualty, act of God, or any law, ordinance, rule or regulation which becomes effective after the date of this Agreement or any other cause beyond USER's reasonable control, the USER shall not be liable to perform. The Terrebonne Parish Consolidated Government hereby waives any claim for damages or compensation for such delay or failure to perform, other than a return to it of any moneys paid directly to the USER., but no other.
- 21. BINDING EFFECT, ASSIGNABILITY:**
- A. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns. This agreement or any right hereunder may not be assigned by USER without the express written consent of Houma-Terrebonne Civic Center, which consent will not be unreasonably withheld.

- 22. **ENTIRETY OF AGREEMENT:**
 - A. It is understood and agreed that the Houma-Terrebonne Civic Center makes no representation or agreement, oral or otherwise outside the terms of this permit.
- 23. **BMI/ASCAP:**
 - A. USER agrees to bear all Broadcast Music Incorporated (BMI) and American Society of Authors, Composers and Publishers (ASCAP) charges attributable to this event.
- 24. **BROADCAST RIGHTS:**
 - A. Houma-Terrebonne Civic Center reserves all cable, radio, and television broadcast rights with no exception unless specified in writing.
- 25. **INTERMISSIONS:**
 - A. USER agrees that for all programs lasting more than one (1) hour, except religious services, an intermission of not less than fifteen (15) minutes be held, subject to modification by Houma-Terrebonne Civic Center when necessary and approved in writing by Houma-Terrebonne Civic Center.
- 26. **DOOR OPENINGS:**
 - A. Unless otherwise agreed upon by both parties, doors will open to public sixty (60) minutes prior to performances, at discretion of Houma-Terrebonne Civic Center.
- 27. **HOUSE SEATS:**
 - A. Houma-Terrebonne Civic Center reserves the right to have and use, without charge, a minimum of Ten (10) seats at each performance.
- 28. **ANNOUNCEMENTS:**
 - A. Houma-Terrebonne Civic Center reserves the right to make announcements during intermissions or at any time deemed necessary in the interest of public safety.
- 29. **TAPE RECORDINGS:**
 - A. The recording of any performance, or any portion thereof, is strictly prohibited.
- 30. **NO SMOKING:**
 - A. USER agrees to fully cooperate in enforcing the "No Smoking laws" at all times.
- 31. **MANAGEMENT:**
 - A. In permitting the occupancy of Authorized Areas by USER, the Houma-Terrebonne Civic Center retains and does not relinquish the right to issue and enforce such rules and regulations and directives as it may deem necessary for the safe, orderly and commercially sound operation of the facility. Houma-Terrebonne Civic Center's employees and agents may enter and have access to the areas furnished hereunder at any time, and authorized personnel may enter at reasonable times necessary to the performance of their duties. Houma-Terrebonne Civic Center reserves the right to eject any objectionable person or persons from the Premises, and upon the exercise of this authority through the Houma-Terrebonne Civic Center, its agents or security guards, the USER, on behalf of itself, its agents and employees, hereby waives any rights and all claims for damages against Houma-Terrebonne Civic Center arising from such occurrences. The USER agrees that it will not allow any person at, in or about the facilities who shall, upon reasonable non-discriminatory grounds, be objected to by the Houma-Terrebonne Civic Center. Such person's right to use the facilities and Authorized Areas therein may be revoked by the Houma-Terrebonne Civic Center. Unless otherwise specified in writing, the Houma-Terrebonne Civic Center reserves the right to schedule other events similar to the Permitted Uses both before and after the date of this Agreement without notice to the USER.
- 32. **CANCELLATION:**
 - A. USER must submit written notice of cancellation to the Houma-Terrebonne Civic Center in conjunction with the cancellation of any date or dates covered by this agreement. If USER cancels event within 180 days prior to date under this agreement in Hall A and/or B and/or parking lot and within 90 days for Meeting Room Wing events under this agreement, USER shall be responsible for all loss of rental fees with ancillary income and/or fees scheduled to be received by the Houma-Terrebonne Civic Center in connection with such event.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures as follows:

USER: _____

AUTHORIZED OFFICER: _____ DATE: _____

DIRECTOR
HOUMA-TERREBONNE CIVIC CENTER

Payment to be made by credit card

- Master Card**
- Visa**
- American Express**

Account # _____ (**4% Credit Card Fee will be added**)

Exp. Date _____

Name _____
as it appears on card (Please Print)

Signature _____

Civic Center Director Dave Ohlmeyer stated that the aforementioned agreement with Conquest Sports Indoor Football is a deviation from the standard Civic Center rental agreement; that the Parish would not be responsible for marketing the sports franchise; that the ASCAP expense would be the burden of the promoter of the events and has no value to the Civic Center; and that the Civic Center would not share in any revenue generated by game-related novelties.

Discussion among Committee Members transpired relative to the contract being too constrictive in that the franchise holder may not reach financial solvency due to the fees charged by the Civic Center being a little excessive.

Mr. Ohlmeyer stated that Mr. Thomas, Conquest's owner, has agreed to the terms of the contract; that he believes the contract to be fair; and that the contract protects the Civic Center from any liability exposure.

Human Resource and Risk Management Director J. Dana Ortego presented recommendations with respect to the Parish's 2009 Property Insurance, noting market values and an increase in the wind deductible.

Ms. A. Williams moved, seconded by Mr. A. Tillman, "THAT, the Policy, Procedure, & Legal Committee concur with the recommendation of Administration, as submitted by the Risk Management Department, to accept the 2009 Property Insurance premiums effective March 1, 2009."

Council Clerk Paul Labat requested clarification with respect to which of the three options submitted for consideration was being approved.

Mr. Ortego stated that Administration recommends Option 1A with \$50 million dollar limits.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-072

WHEREAS, Terrebonne Parish Consolidated government (TPCG) is authorized to provide Property Insurance Coverage through its Department of Risk Management; and

WHEREAS, Administration and the Risk Management Department reviewed and analyzed property insurance quotes and submits a recommendation for Property Insurance coverage; and

WHEREAS, it is the recommendation of Administration and the Risk Management Department that the attached schedule of Property Insurance premiums become accepted effective for March 1, 2009.

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 recommendation of Administration and the Risk Management Department to accept Option 1A as submitted by the Parish Administration for Property Insurance premiums effective for March 1, 2009 be hereby approved.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

In response to questioning, Mr. Eddie Murphy, Senior Vice President of Arthur Gallagher Insurance, stated that delaying action in order to negotiate or to determine if lower market rates become available would not reduce the insurance costs

The Chairman noted that Port Commission Administrator David Rabalais and Terrebonne Port Commission President Dan Davis were present in the audience.

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:07 p.m.

Clayton J. Voisin, Chairman

Suzette Thomas, Minute Clerk

Mr. C. Voisin, seconded by Mr. P. Lambert, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 2/9/09, correcting second page, second paragraph, changing "concessions" to "novelties."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Public Services Committee meeting held on 2/9/09, whereupon the Committee Chairman, noting that ratification of the minutes calls a public hearing on 2/25/09, rendered the following:

PUBLIC SERVICES COMMITTEE

FEBRUARY 9, 2009

The Chairman, Joey Cehan, called the Public Services Committee meeting to order at 6:47 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Minute Clerk S. Thomas and the Pledge of Allegiance led by B. Hebert. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-073

A Resolution authorizing the execution of Change Order No. 2 (Balancing) for the Construction Agreement for Modeling & Improvements of the Forced Drainage Project 1-1A Drainage Improvement - Phase 8; (La 311 Box Culvert Cleanout and Trash Screen); Parish Project No. 02-DRA-28, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated June 12, 2008, with Low Land Construction Co, Inc, Recordation Number 1298684, for the Forced Drainage Project 1-1A Drainage Improvement - Phase 8; (La 311 Box Culvert Cleanout and Trash Screen); Parish Project No. 02-DRA-28, Terrebonne Parish, Louisiana, and

WHEREAS, a change order is necessary to balance the original contract quantities to final quantities required for the completion for the above referenced project, and

WHEREAS, this Change Order is necessary in order to increase the overall contract price by \$6,084.40 and increase the contract time by an additional 30 days, and

WHEREAS, this Change Order No. 2 (Balancing) 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 Don Schwab of Change Order No. 2 (Balancing) to the construction agreement with Low Land Construction Co, Inc. to perform construction services for the Forced Drainage Project 1-1A Drainage Improvement - Phase 8; (La 311 Box Culvert Cleanout and Trash Screen); Parish Project No. 02-DRA-28, Terrebonne Parish, Louisiana for an increase in the amount of Six Thousand Eighty Four Dollars and Forty Cents (\$6,084.40) to the contract amount and increase the contract time by an additional 30 days, 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: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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Public Works Director Lt. Col. (Ret.) Greg Bush stated that the initial survey of the project area did not reveal a covered culvert and noted that the additional cost is attributed to the unforeseen circumstances.

OFFERED BY: Mr. K. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-074

A resolution providing for the acceptance of work performed by Low Land Construction Company, Inc. in accordance with the Certificate of Substantial Completion for Forced Drainage Project 1-1A, Phase 8 (La 311 Box Culvert Cleanout and Trash Screen), Parish Project No. 02-DRA-28, State Project No. 576-55-0015(338), Terrebonne Parish, Louisiana

WHEREAS, by contract dated June 12, 2008, Terrebonne Parish Consolidated Government did award a contract to Low Land Construction Company, Inc. for Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A, Phase 8 (La 311 Box Culvert Cleanout and Trash Screen), Terrebonne Parish, Louisiana, as will be seen by reference to said contract which is recorded under Entry No. 1298684 of the Records of Terrebonne Parish, and

WHEREAS, the work performed under the contract has been inspected by authorized representatives of Owner, Engineers and Contractor.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby accept the work performed in accordance with the 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. 1298684 of the Records of Terrebonne Parish, Louisiana, and

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

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-075

Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under Section 3037 of TEA-21 and/or Section 5316 of SAFETEA-LU, Job Access and Reverse Commute Competitive/(Formula) Grants.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government:

1. That the Parish President, Michel Claudet, is authorized to execute and file an application on behalf of Terrebonne Parish Consolidated Government with the Louisiana Department of Transportation and Development, to aid in financing the operating assistance projects pursuant to the Job Access and Reverse Commute Grant Program, 49 CFR 5316.
2. That the Parish President is authorized to execute and file with such application an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the Parish President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.
4. That the Parish President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the Parish President is authorized to execute grant contract agreements on behalf of Terrebonne Parish Consolidated Government with the Louisiana Department of Transportation and Development for aid in the financing of the operating assistance projects.
6. This resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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OFFERED BY: Ms. A. Williams.

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

RESOLUTION NO. 09-076

A resolution authorizing the Parish President to file an application with the Department of Transportation, United States of America, for grants for the fiscal year 2009, named LA-90-X310-02, under the Urban Mass Transportation Act of 1964, as amended.

WHEREAS, general transportation of persons in and around Terrebonne Parish is both necessary and convenient to the public health, welfare and safety, and

WHEREAS, privately-owned public transportation facilities that are or may be in operation in and around Terrebonne Parish are inadequate, and it is impossible for existing operators of privately owned transportation facilities to render necessary service with adequate resulting return on investment of capital, and

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program, and

WHEREAS, the contract for financial assistance will impose certain obligations upon Terrebonne Parish Consolidated Government, including the provision by it of the local share of the project costs, and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, that Terrebonne Parish Consolidated Government give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder, and

WHEREAS, it is the goal of the Terrebonne Parish Consolidated Government that minority business enterprises be utilized to the fullest extent possible in connection with this project, and that definite procedures shall be established and administered to ensure that minority business enterprises shall have the maximum feasible opportunity to compete for contracts when procuring supplies, equipment contracts, or consultant and other services.

NOW THEREFORE BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee) on behalf of the Terrebonne Parish Consolidated Government, that:

1. The Parish President is authorized to submit and execute a grant application on behalf of the Terrebonne Parish Consolidated Government with the U.S. Department of Transportation, to aid in the financing of planning, capital, and/or operating assistance

- projects pursuant to Section 5307 and 5309 of the Urban Mass Transportation Act of 1964, as amended.
2. The Parish President is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
 3. The Department of Public Works is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for this project.
 4. The Parish President is authorized to set forth and execute affirmative minority business policies in connection with the program of project and budgets procurement needs.
 5. The Parish President is authorized to execute grant agreements on behalf of the Terrebonne Parish Consolidated Government with the U.S. Department of Transportation for aid in financing of the planning, capital, and/or operating assistance program of projects and budgets.

BE IT FURTHER RESOLVED, that all resolutions in conflict herewith are hereby repealed.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: A. Tillman and C. Voisin.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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Capital Projects Manager Al Levron explained that when the Parish assumed responsibility as a non-federal levee project sponsor, the Parish became responsible for complying with and obtaining the lands, easements, rights-of-way, and deeds for the project. He continued that all landowners affected by federal projects must be offered fair market value in accordance with the Uniform Relocation Act and noted that Mr. Stanga is certified to work on federal projects and does work for the U.S. Army Corps of Engineers.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-077

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 Craig Stanga to provide appraisal services for the Terrebonne Non-Federal Levee project is hereby ratified; and,

BE IT FURTHER RESOLVED that the Parish President is authorized, at his sole discretion, to negotiate and execute a professional services agreement with said firm.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 09-078

WHEREAS, Article 7 Section 14C of the Constitution of the State of Louisiana provides that “for a public purpose, the state and political subdivisions...may engage in cooperative endeavors with each other...” and

WHEREAS, Louisiana Revised Statute 33:1324(3) provides that any parish or political subdivision of the state may make agreements between or among themselves to engage jointly in the acquisition or improvement of any public project or improvement, specifically including public drainage projects, provided that at least one of the participants to the agreement is authorized under a provision of law to perform such activity for completion of the undertaking; and

WHEREAS, LA R.S. 38:329 specifically authorizes the Terrebonne Levee and Conservation District (DISTRICT) to enter into agreements of this nature; and

WHEREAS, the DISTRICT and Terrebonne Parish Consolidated Government (PARISH) recognize the necessity of providing tidal flood protection and coastal restoration for the residents of Terrebonne Parish;

WHEREAS, the PARISH and the DISTRICT have overlapping constitutional and statutory authority with respect to providing said flood protection, drainage and coastal restoration; and

WHEREAS, the PARISH has proposed to take the lead on the completion of the project to repair, rehabilitate, and elevate a portion of the Ward 7 Levee , between Bayou Neuf Pump Station and the St. Louis Canal; 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 enter into a cooperative endeavor agreement with the Terrebonne Parish Levee and Conservation District, the terms of which are substantially in accordance with the document titled “Intergovernmental Agreement between Terrebonne Parish Consolidated Government, and the Terrebonne Levee and Conservation District for the Proposed Upper Ward 7 Levee Improvements Bayou Neuf to St. Louis Canal”.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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Capital Projects Manager Al Levron explained that the “Chabert Hospital Levee Project” entails the construction of a levee between LA Highway 57 and Van Avenue and would extend around Chabert Hospital across the Terrebonne Port property and along the railroad right-of-way, terminating at Van Avenue.

Mr. C. Voisin moved, seconded by Mr. P. Lambert, “THAT, the Public Services Committee retain the matter relative to authorizing Amendment No. 1 to the Department of Natural Resource Cooperative Agreement No. 2503-09-81 in committee for two weeks.”

In response to questioning, Mr. Levron stated that the aforementioned project is funded through multiple sources; that the Parish has allocated \$1,700,000.00 in the previous budget for said project; that the State has appropriated three allocations of which the aforementioned amendment is the second allocation of \$250,000.00; and that the third State allocation is being devised which would bring the State’s appropriation to approximately \$1,200,000.00.

Parish President Michel Claudet noted that the State has been requested to release funding for the aforementioned project; that the Department of Natural Resources sent the agreement using priority mail in order to expedite the execution of the agreement; that the State

Delegation has pushed for the funding; noted that delaying the authorization would move the project further into the hurricane season; and requested that the matter be approved tonight.

Committee Member C. Voisin noted that there may be some land issues affecting residents in Districts 7 & 8 and added that he would like to meet to discuss the issues prior to adopting the resolution.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. K. Voisin.

RESOLUTION NO. 09-079

DNR Cooperative Agreement No. 2503-09-81,
 “Chabert Hospital Levee Project”
 Amendment No.1

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, is hereby authorized to execute the DNR Cooperative Agreement No. 2503-09-81, Amendment No.1, between the Terrebonne Parish Consolidated Government and the Louisiana Department of Natural Resources for the “Chabert Hospital Levee Project”.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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President Claudet noted that Administration is aware of the right-of-way issue; added that the resolution allows the Parish to receive funding; and noted that the land issues could be resolved at a later time.

Committee Member C. Voisin requested that Administration schedule a meeting with himself, Councilman Joey Cehan, and the landowners affected by the project within a week.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-080

A Resolution authorizing the execution of Change Order No. 1 (Balancing) for the Construction Agreement for Valhi Boulevard Extension (Hollywood Road to Equity Boulevard); Parish Project No. 05-EXT-36, Terrebonne Parish, Louisiana.

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract dated April 30, 2008, with Byron E Talbot Contractor, Inc, for the Valhi Boulevard Extension (Hollywood Road to Equity Boulevard); Parish Project No. 05-EXT-36, Terrebonne Parish, Louisiana, and

WHEREAS, a change order is necessary to balance the original contract quantities to final quantities required for the completion for the above referenced project, and

WHEREAS, this Change Order is necessary in order to decrease the overall contract price by \$68,115.00, and

WHEREAS, this Change Order No. 1 (Balancing) 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 (Balancing) to the construction agreement with Byron E Talbot Contractor, Inc. to perform construction services for the Valhi Boulevard Extension (Hollywood Road to Equity Boulevard); Parish Project No. 05-EXT-36, Terrebonne Parish, Louisiana for a decrease in the amount of Sixty Eight Thousand One Hundred Fifteen Dollars and No Cents (\$68,115.00) to the 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: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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Public Works Director Lt. Col. (Ret.) Greg Bush explained that the additional 15% cost for incurred expenses is standard in all Parish contracts and noted that the work was outside of the initial scope of the project.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. A. Tillman.

RESOLUTION NO. 09-081

A resolution approving Change Order No. 5 to the Construction Agreement with Civil Construction Contractors, Inc. for the Ashland Landfill Drainage Improvements and Resident Drop Off Facility resulting in a decrease of \$15,280.24.

WHEREAS, the Terrebonne Consolidated Government entered into an construction agreement with Civil Construction Contractors, Inc. dated February 14, 2008 for Ashland Landfill Drainage Improvements and Resident Drop Off Facility at Ashland Landfill **Pickup Station, and**

WHEREAS, the project engineer, Shaw Coastal, recommends favorable consideration of this Change Order No. 4 to the construction agreement.

NOW, THEREFORE BE IT RESOLVED, that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve Change Order No. 5 of the construction agreement with Civil Construction Contractors, Inc. for the Ashland Landfill Drainage Improvement and Residential Drop Off Facility resulting in a decrease of \$15,280.24.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams and Mr. A. Tillman.

RESOLUTION NO. 09-082

A resolution authorizing a Cooperating Endeavor Agreement with Louisiana Department of Transportation and Development (LA DOTD) relative to the continuation of debris removal on state routes in Terrebonne Parish.

WHEREAS, in the aftermath of Hurricanes Gustav and Ike the Louisiana Department of Transportation and Development (LA DOTD) assumed responsibility for collection and disposal of hurricane debris on state routes in Terrebonne Parish, and

WHEREAS, after having completed two passes on all state routes and additional collection in areas of concentration, the LA DOTD released their contractor from collection activities in mid December 2008, and

WHEREAS, since that time, the need for additional debris collection on state routes in Terrebonne Parish has become evident, and

WHEREAS, representatives of Terrebonne Parish, LA DOTD, the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), and the Federal Emergency Management Agency (FEMA) met on Monday, January 26, 2009 to discuss matters related to continued hurricane debris collection on state routes in Terrebonne Parish and reached the following understandings, subject to approval of their respective governing agencies

- LA DOTD will remobilize their contract debris pick up crews to resume collection of hurricane debris on state routes in Terrebonne Parish on or around Monday, February 2, 2009 and will continue collection at least until February 20, 2009 (Mardi Gras weekend);
- Terrebonne Parish will accept vegetative debris collected on state routes in this period and process same at the Ashland Landfill facility under its standing contract with OMNI Pinnacle;
- Terrebonne Parish and LA DOTD will enter into a Cooperative Endeavor Agreement providing for Terrebonne Parish to continue collection and disposal of hurricane debris on state routes beyond February 20, 2009, thus qualifying Terrebonne for FEMA reimbursement.

WHEREAS, the parish administration recommends pursuing the proposed agreement to ensure the continued removal of hurricane debris on state routes in Terrebonne Parish.

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 negotiate and enter into a Cooperating Endeavor Agreement with Louisiana Department of Transportation and Development (DOTD) relative to collection and disposal of hurricane debris on state routes in Terrebonne Parish.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 09-083

FP&C Project No. 50-J55-08B-02,

Thompson Road Extension, Land Acquisition, Planning and Construction

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, is hereby authorized to execute the Cooperative Endeavor Agreement for FP&C Project No. 50-J55-08B-02, between the Terrebonne Parish Consolidated Government and the Division of

Administration for the Thompson Road Extension, Land Acquisition, Planning and Construction Project.

BE IT FURTHER RESOLVED, that Parish President Michel Claudet is authorized to sign any and all documents pertaining to this project agreement.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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OFFERED BY: Mr. K. Voisin.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-084

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, utilities, gas, sewer, and rights-of-way for "WESTGATE SUBDIVISION, ADDENDUM NO. 6, PHASE 2" and to incorporate the extension of "BRIDGEPORT WAY" and "PORT ROYAL WAY" 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 (Public Services 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, utilities, gas, sewer, and rights-of-way for "WESTGATE SUBDIVISION, ADDENDUM NO. 6, PHASE 2", and to incorporate the extension of "BRIDGEPORT WAY" and "PORT ROYAL WAY" into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, February 25, 2009.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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Terrebonne Parish Port Administrator David Rabalais gave a detailed power point presentation on the current activities, status, and present goals of the Port Commission. Mr. Rabalais requested consideration of the Parish accepting the Port Road into its Road Maintenance System in order that traffic patrols may be conducted to deter speeders on said roadway; stated that the Terrebonne Port would continue to maintain the roadway under its current maintenance policy; and added that the Port Commission intends to hard surface the roadway. He also mentioned the possible co-sponsorship of an upcoming Wetland America Event at the Downtown Marina.

Committee Member B. Hebert requested that the Port Administration meet with representatives of Submar to determine the feasibility of relocating Submar from its Dunn Street location to the Terrebonne Port.

Committee Member C. Voisin requested that Administration investigate what action the Parish can take to assume the maintenance of the Port Road in order to provide for traffic patrols,

and that the Council Clerk place said matter on the appropriate committee agenda for consideration.

Committee Member K. Voisin suggested some type of a cooperative endeavor agreement with local law enforcement agencies to provide for traffic patrols. (NO ACTION TAKEN)

Utilities Director Tom Bourg stated that Administration has submitted information with respect to the Parish's gas rates in comparison to ATMOS gas in addition to the Parish's rate structure. He then explained the three components of the Parish's rate structure (customer rate charge, fixed commodity unit charge, and gas cost charge) and added that the Parish itemizes the rate charges.

The Chairman recognized Mr. Floyd Bergeron of Kellie Street, who expressed his concern with respect to current Parish gas charges; added that those persons on fixed incomes can not afford the commodity and gas charges; and requested that the Parish eliminate the surcharges for the area between Hollywood Road to Bellaire Drive.

Mr. Bourg stated the average rate for 40 ccs, inclusive of all charges, is less than ATMOS and added that tomorrow he will e-mail the member information with respect to ATMOS surcharges. He noted that the commodity charge and the customer charge constitute the total revenue for the Parish's gas utility.

Discussion ensued relative to gas user surcharges. (NO ACTION TAKEN)

Recreation Director Sterling Washington stated that Grand Bois Campsite roads are being "re-graded"; that storm debris is being removed; that an electrician has checked the RV hook-ups; that plumbers have checked the plumbing system and dumpsites; that the Roads & Bridges Division is expected to complete all road work by the end of the week; that shells should be placed on the roadway by next week; and that the park should re-open within a week or two. In response to questioning, Mr. Washington stated that Administration is still receiving bids to repair the gazebo and added that the bathhouse is fully functional.

The Chairman recognized Mr. Ernie Dardar, Grand Bois Manager, who submitted photos of Grand Bois after Hurricane Ike; noted that the roadway is being completed; and that the discharge dumpsite is located on the right side of the roadway as you exit the park. (NO ACTION TAKEN)

Parish Attorney Courtney Alcock stated that the Legal Department has investigated the ownership of the old State Highway roadbed on Teve Street in Little Caillou; noted that the research revealed that when the State exchanged property with the landowner for the "new" Highway 56 right-of-way, the owner received the old roadbed; and added that the land is titled in the name of a private landowner, so the Parish does not have any rights to the property.

Committee Member P. Lambert requested that the Legal Department submit a letter to the residents of Teve Street informing them of what the research revealed. (NO ACTION TAKEN)

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. P. Lambert and Mr. B. Hebert.

RESOLUTION NO. 09-085

A RESOLUTION OBLIGATING THE NECESSARY FUNDING UNDER THE TERREBONNE PARISH FLOOD HAZARD MITIGATION PROGRAM/HURRICANE LILI, PROJECT NO 1607-109-0001 TO COMPLETE THE ELEVATION OF VARIOUS STRUCTURES CONDITIONED ON ADMINISTRATIVE REVIEW AND AUTHORIZATION TO PROCEED IS RECEIVED FROM THE GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS.

WHEREAS, the Terrebonne Parish Consolidated Government has been formally notified that the Hurricane Katrina Flood Hazard Mitigation Program (HMGP), Project No. 1607-109-0001, can proceed with the mitigation of 6689 Grand Caillou Road; and

WHEREAS, under the administrative guidance of Shaw Environmental and Infrastructure Group, the required "elevation packets" have been prepared and executed by the various property owners and are awaiting administrative review by the Governor's Office of Homeland Security and Emergency Preparedness.

NOW, THEREFORE, BE IT RESOLVED, by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that, upon administrative clearance by the Governor's Office of Homeland Security and Emergency Preparedness, the necessary funding under the Terrebonne Parish Flood Hazard Mitigation Program/Hurricane Katrina, Project No. 1607-109-0001 be hereby obligated in facilitation of the mitigation of 6689 Grand Caillou Road, Bernard Collins.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

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Interim Parish Manager Patrick Gordon stated that the proposed amendment to the Subdivision Regulations regarding multi-residential buildings on single lots has not been submitted to the Subdivision Regulations Review Subcommittee for consideration; that the Committee will submit recommendations to the Houma-Terrebonne Regional Planning Commission for consideration and then submit its recommendations to the Council; and that once the recommendations are submitted, the Council's Subdivision Regulation Committee would review them.

Ms. T. Cavalier moved, seconded by Mr. K. Voisin, "THAT, the Public Services Committee request that the matter relative to the implementation of regulations for multi-residential buildings on single lots be referred to the Subdivision Regulations Review Subcommittee for consideration and for the submission of recommendations regarding said matter."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. B. Hebert and 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. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 8:21 p.m.

Joey Cehan, Chairman

Suzette Thomas, Minute Clerk

Mr. J. Cehan moved, seconded by Mr. K. Voisin, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 2/9/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

The Chairwoman called for a report on the Community Development & Planning Committee meeting held on 2/9/09, whereupon the Committee Vice-Chairwoman, noting that ratification of the minutes calls public hearings on 2/25/09, rendered the following:

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

FEBRUARY 9, 2009

The Chairman, A. Tillman, called the Community Development & Planning Committee meeting to order at 8:27 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: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, J. Pizzolatto, A. Tillman, C. Voisin, K. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 09-086

A Resolution co-sponsoring nine "Downtown Live After 5" events throughout 2009, beginning with the event of Friday, March 27, 2009, and ending with the event scheduled for Friday November 6, 2009.

WHEREAS, Terrebonne Parish Consolidated Government (TPCG) desires to promote economic and cultural development in the Parish and recognizes its mandate to encourage the growth, development, restoration, improvement and enjoyment of downtown Houma through cooperation with the downtown business community as a means to promote said economic and cultural development; and,

WHEREAS, TPCG and the Houma Downtown Development Corporation (HDDC), which also functions as the Board of Directors of the Main Street Program, work diligently to revitalize downtown Houma through various programs and capital projects, and now desire to work cooperatively with the Downtown Business Association (DBA) to promote and offer an event called "*Downtown Live After 5*" concert series beginning on Friday, March 27, 2009, with subsequent events on Friday, April 24; Friday, May 29; Friday, June 26; Friday, July 31; Friday, August 28; Friday, September 25; Friday, October 23; and Wednesday, November 6, 2009, from 5:00PM to 10:00PM; and,

WHEREAS, Terrebonne Parish Consolidated Government desires to assist HDDC and DBA with these events in historic downtown Houma by officially co-sponsoring it; and,

WHEREAS, the TPCG finds that such co-sponsorship will serve a public purpose and have a public benefit commensurate with the cost.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of Terrebonne Parish Consolidated

Government that the Parish does hereby co-sponsor the “*Downtown Live After 5*” concert series events throughout 2009 beginning on Friday, March 27, and continuing on April 24, May 29, June 26, July 31, August 28, September 25, October 23, with the last event on Friday, November 6, 2009 between the hours of 5:00PM and 10:00PM, and that Parish President Michel Claudet is hereby authorized to execute any documents and provide assistance necessary to effect this co-sponsorship. Parish co-sponsorship will be limited to the provision of event insurance, necessary barricades, delivery and pick up of trash receptacles and the provision of one police officer. Event sponsor(s) will pay for the provision of one additional police officer during each concert event.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. J. Pizzolatto.

RESOLUTION NO. 09-087

A resolution authorizing the Parish President to sign the Weatherization Assistance Program Amendment between Louisiana Housing Finance Agency and Terrebonne Parish Consolidated Government.

WHEREAS, an additional amount of \$369,212.21 is available to the Terrebonne Parish Consolidated Government for a period of July 1, 2008 through June 30, 2009.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on the behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Michel Claudet, to sign and submit the Weatherization Assistance Program Amendment; and,

BE IT FURTHER RESOLVED that the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the Parish President, Michel Claudet, to sign and submit any other documents necessary between Terrebonne Parish Consolidated Government and the Louisiana Housing Finance Agency for the enactment of this amendment.

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.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

Council Clerk Paul Labat noted that the matter relative to rezoning from R-1 (Single Family Residential) to C-3 (Neighborhood Commercial) property located at 1739 and 1803 Savanne Road is an old matter and suggested that the Committee take no action on the matter.

Mr. K. Voisin moved, seconded by Mr. C. Voisin, “THAT, the Community Development & Planning Committee take no action with respect to the matter relative to rezoning from R-1 (Single Family Residential) to C-3 (Neighborhood Commercial) property located at 1803 Savanne Road.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 09-088

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF STRUCTURES AND LANDS UNDER THE TERMS AND CONDITIONS OF THE TERREBONNE PARISH HURRICANE KATRINA HAZARD MITIGATION GRANT PROGRAM (HMGP), PROJECT NO. #1607-109-0002, PROJECT #0001A; TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECT ACQUISITION; AND CALLING A PUBLIC HEARING ON SAID MATTER FOR WEDNESDAY, FEBRUARY 25, 2009 AT 6:30 P. M.

WHEREAS, the Terrebonne Parish Consolidated Government, in the implementation of its Hurricane Katrina Hazard Mitigation Grant Program, Project No. #1607-109-0002, #0001A, has executed all necessary documents with the following property owner to acquire all structures and lands located at the address and for the amount stipulated below:

Owner(s): Wilsey and Betty Dupre

Address: 1588 Highway 665, Montegut, LA 70377

Appraised Value: \$183,000

Total Project Costs: \$205,980.00

Offer Amount: \$183,350.00

Legal Description: On the right descending bank of Bayou Point Au Chein, but not front thereon. Bounded front or east By Wilsey J. Dupre. Bounded rear or west by Wilsey J. Dupre. Lot 60X127' located 127' from Public Road. COB 18/652-and-on the right descending bank of Bayou Point Au Chien. Bounded above by Elie Brunet. Bounded below by Irvey J. Dupre. Having a Frontage 86' by depth survey. Less Lot 60X127'.

WHEREAS, the above listed property owner has agreed to the offer to purchase for the amounts stipulated.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that notice is hereby given to adopt an ordinance to authorize the acquisition of structures and lands under the terms and conditions of the Terrebonne Parish Hurricane Katrina Hazard Mitigation Grant Program (HMGP), Project No. #1607-109-0002, Project #0001A; to authorize the Parish President to execute any and all documents necessary to effect acquisition; and calling a public hearing on said matter for Wednesday, February 25, 2009, at 6:30 p. m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

The Chairman noted that Item No. 5 (RESOLUTION: Introducing an ordinance to authorize the acquisition of structures and land under the terms and conditions of the Terrebonne Parish Hurricane Katrina HMGP Program for property located at 214 Bayou Gardens Road) has been withdrawn from the agenda as per the request of Administration. (NO ACTION TAKEN)

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 09-089

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF STRUCTURES AND LANDS UNDER THE TERMS AND CONDITIONS OF THE TERREBONNE PARISH HURRICANE KATRINA HAZARD MITIGATION GRANT PROGRAM (HMGP), PROJECT NO. #1607-109-0002, PROJECT #0002A; TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECT ACQUISITION; AND CALLING A PUBLIC HEARING ON SAID MATTER FOR WEDNESDAY, FEBRUARY 25, 2009 AT 6:30 P. M.

WHEREAS, the Terrebonne Parish Consolidated Government, in the implementation of its Hurricane Katrina Hazard Mitigation Grant Program, Project No. #1607-109-0002, #0002A, has executed all necessary documents with the following property owner to acquire all structures and lands located at the address and for the amount stipulated below:

Owner(s): Leslie and Dory Kerbo

Address: 300 Hidalgo Drive, Houma, LA 70363

Appraised Value: \$85,000

Total Project Costs: \$108,835

Offer Amount: \$85,300.10

Legal Description: Lot 1, Block 6, Fairfield Subdivision.

WHEREAS, the above listed property owner has agreed to the offer to purchase for the amounts stipulated.

NOW, THEREFORE, BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), on behalf of the Terrebonne Parish Consolidated Government, that notice is hereby given to adopt an ordinance to authorize the acquisition of structures and lands under the terms and conditions of the Terrebonne Parish Hurricane Katrina Hazard Mitigation Grant Program (HMGP), Project No. #1607-109-0002, Project #0002A; to authorize the Parish President to execute any and all documents necessary to effect acquisition; and calling a public hearing on said matter for Wednesday, February 25, 2009, at 6:30 p. m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 9th day of February, 2009.

* * * * *

Mr. J. Cehan moved, seconded by Mr. K. Voisin, "THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned."

The Chairman called for the vote on the motion offered by 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 and the meeting was adjourned at 8:29 p.m.

Alvin Tillman, Chairman

Suzette Thomas Minute Clerk

Ms. T. Cavalier moved, seconded by Mr. J. Cehan, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 2/9/09."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. P. Lambert moved, seconded by Mr. J. Cehan, "THAT, the Council approve the following street light list:

INSTALL ONE (1) 150w HPS STREETLIGHT NEXT TO 3310 HIGHWAY 665 IN POINT-AUX-CHENES (MARKED W/RED RIBBON); RLD #6; ENTERGY; PETE LAMBERT."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. B. Hebert, "THAT, the Council keep nominations open for two weeks for the expired term of Mr. Robert LeBouef on the Bayou Blue Fire Protection District Board."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. B. Hebert, "THAT, the Council reappoint Mrs. Sybil Guidry to another term on the Terrebonne Parish Tree Board and that nominations remain open for the other vacancy."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. P. Lambert, "THAT, the Council appoint Mr. Marty Theriot and Mr. Donald Bourg to the expired term of the late Mr. Willie Bonvillain and

the expired term of Mr. Roland P. Aucoin on the Fire Protection District No. 4 Board, effective immediately.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. J. Pizzolatto moved, seconded by Mr. J. Cehan, “THAT, the Council appoint Captain Keith Ward to replace Captain Jerry LaBouve, who is retiring, to represent the Houma Fire Department on the Terrebonne Parish Communications District Board.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. K. Voisin moved, seconded by Mr. J. Pizzolatto, “THAT, the Council appoint PFC Terry Boquet to the Houma Municipal Civil Service Board, representing the Houma Police Department.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Mr. P. Lambert, “THAT, the Council appoint Mr. Ed Snyder, representing the deaf community, to the Advisory Committee for Disability Affairs.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. J. Cehan, “THAT, the Council open nominations, close nominations, and appoint Mr. Louis ‘Bubba’ Watkins, III to the Hospital Service District No. 1 Board to replace Mrs. Emilie M. Daye, who resigned.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

No matters were addressed under agenda item 6A – Council Members Request Discussion of.

Councilman J. Cehan announced and congratulated Shell Pipeline's recent achievement of Star Status of Safety with OSHA, which is the highest safety award they can receive. He said that they were also the first company in Louisiana to achieve this.

Councilman B. Hebert thanked the Parish's Drainage Division and the Parish President for the cleaning of culverts on Alma Street and, with the recent rain, the water drained fine.

Councilman C. Voisin announced to the residents in the Bayou Dularge area, specifically south of Falgout Canal, that yesterday he met with Fire District Board members and FEMA on the Fire Station. As of tomorrow, the fire station will no longer be insured because of their location and the condition of the bulkhead, behind the building. He stated that a fire truck and personnel would be manned on the south side of Falgout Canal to provide service for fire and emergency, indefinitely. He stated that the State has indicated they will maintain the bridge in as good or better condition at Falgout Canal.

Councilman K. Voisin stated he sent a letter to principals of schools and various media outlets letting them know that he invites the children of Terrebonne Parish that he has a wall in his Council office reserved for their drawings of what they think Terrebonne Parish needs to be. He encouraged children to send them to the Council office.

Parish President M. Claudet announced the following:

- A public forum to be held tomorrow at 5:30 p.m. in the Council Chambers, for the CDBG funds that will coming into Terrebonne Parish. He stated it is a scoping meeting and as much input as possible is welcome from residents.
- The Cleanest City Competition in March 2009
- May 30 through June 1, the American Wetlands Last Stand
- Food Vending Permits for Mardi Gras parades with the Department of Health deadline has been extended for this year

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

Parish President M. Claudet gave a status report on the following matters his Administration is currently addressing:

- Debris and street lights on the parade route are being addressed

The Chairwoman recognized Mr. Gary Gernhouser, ENTERGY, who stated he has been working with the Council Clerk and Council Members regarding street lights, particularly on the parade routes, and that those are being addressed prior to the first parade.

Parish President M. Claudet continued his status report on the following matters:

- Flood map meeting that was held and Terrebonne Parish currently working towards its appeal on the maps
- Funds available for residents to elevate their homes, but there is a lack of contractors and encouraged anyone to get into the elevation business
- The ground breaking ceremony held last Friday for the Dulac Federal Levees
- The state addressing the debris, particularly a site in Dularge, the parade routes, and state highways
- The Parish expended twenty-three million dollars for hurricane related damages, reimbursement from FEMA has been very slow to non-existent, and the Finance Department working diligently for the cash flow portions

Mr. C. Voisin, seconded by Mr. J. Pizzolatto, "THAT, the Council accept the following Monthly Engineering Reports:

- A) GSE Associates, Inc.
- B) T. Baker Smith, Inc."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted.

Mr. J. Pizzolatto moved, seconded by Mr. J. Cehan, "THAT, there being no further business to come before the Council, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman

The Chairwoman declared the motion adopted and the meeting adjourned at 7:16 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