

PROCEEDINGS
OF THE
TERREBONNE PARISH COUNCIL
IN REGULAR SESSION
DECEMBER 3, 2008

The Chairman, Mr. C. Voisin, called the meeting to order at 6:04 p.m. in the Terrebonne Parish Council Meeting Room. Following the Invocation, led by Councilman J. Pizzolatto, Councilwoman A. Williams led the Pledge of Allegiance.

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

Mr. J. Pizzolatto moved, seconded by Ms. A. Williams and Mr. B. Hebert, "THAT, the Council approve the minutes of the Regular Council Session held on 11/5/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. A. Tillman, "THAT, the Council approve the minutes of the Special Council Session of 11/10/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council approve the minutes of the Special Council Session of 11/17/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council approve the minutes of the Special Council Session of 11/18/08."

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. B. Hebert moved, seconded by Mr. H. Lapeyre, "THAT, the Council approve the Parish Bill List dated 11/26/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan and Mr. H. Lapeyre, "THAT, the Council approve the Parish Manual Check List for October 2008."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-482

A resolution awarding Bid No. 08-1/9-46 Annual Purchase of Recreation Sports Event Equipment to the various vendors as listed: Cannon Sports in the amount of Three Hundred Forty Four Dollars and Eighty Eight Cents (\$344.88), BSN Sports in the amount of Four Hundred Sixty Nine Dollars and Forty One Cents (\$469.41) J.P. Sports in the amount of Forty Four Thousand Four Hundred Seventy Two Dollars and Fifty Two Cents (\$44,472.52), Riddell in the amount of Three Hundred Fifty Nine Dollars and Ten Cents (\$359.10), Baden Sports in the amount of Two Thousand Four Hundred Ninety Dollars and Zero Cents (\$2,490.00).

WHEREAS, Terrebonne Parish Consolidated Government reserves the right to increase or decrease quantities at its sole discretion, based upon the same unit prices,

WHEREAS, Mary Crochet, Warehouse Manager, and Sterling Washington, Recreation Director have reviewed the bids received and recommends the bid of Cannon Sports, BSN Sports, J.P. Sports, Riddell, Baden Sports as the lowest responsive bids, and

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

WHEREAS, based upon these supporting recommendations, the Recreation Department recommends the award of Bid No. 08-1/9-46 Annual Purchase of Recreation Sports Event Equipment to the various vendors as listed: Cannon Sports in the amount of Three Hundred Forty Four Dollars and Eighty Eight Cents (\$344.88), BSN Sports in the amount of Four Hundred Sixty Nine Dollars and Forty One Cents (\$469.41) J.P. Sports in the amount of Forty Four Thousand Four Hundred Seventy Two Dollars and Fifty Two Cents (\$44,472.52), Riddell

in the amount of Three Hundred Fifty Nine Dollars and Ten Cents (\$359.10), Baden Sports in the amount of Two Thousand Four Hundred Ninety Dollars and Zero Cents (\$2,490.00), and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, awards Bid #08-1/9-46 Annual Purchase of Recreation Sports Event Equipment to Cannon Sports, BSN Sports, J. P. Sports, Riddell, and Baden Sports 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: J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams and B. Hebert.

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 3rd day of December, 2008.

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Mr. P. Lambert moved, seconded by Ms. A. Williams and Mr. H. Lapeyre, "THAT, the Council introduce an ordinance to amend the 2008 Adopted Budget so as to make necessary departmental adjustments for the various hurricane expenses and call a public hearing on said matter on Wednesday, December 17, 2008 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. A. Tillman and Mr. H. Lapeyre.

RESOLUTION NO. 08-483

A Resolution to Award the Request for Proposals To Provide labor, materials, and equipment necessary to Provide, Transport and Empty Large Refuse Containers for the Terrebonne Parish Consolidated Government to SWDI, LLC, in the amount of One Hundred and Eighty Dollars and Zero Cents per service pull, (\$180.00).

WHEREAS, the lowest bidder H & A Container Disposal, LLC has declined acceptance of proposal, due to unforeseen circumstances.

WHEREAS, Tom Bourg, Utilities Director, and Eulin Guidry, Solid Waste Administrator have reviewed the proposals received and recommends the bid of SWDI, LLC the lowest responsive bid, and

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

WHEREAS, based upon these supporting recommendations, the Utilities/Solid Waste Department recommends the award of the Request for Proposals To Provide labor, materials, and equipment necessary to Provide, Transport and Empty Large Refuse Containers for the Terrebonne Parish Consolidated Government in the amount of One Hundred Eighty Dollars and Zero Cents, (\$180.00) per service pull.

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, awards the Request for Proposals To Provide labor, materials, and equipment necessary to Provide, Transport and Empty Large Refuse Containers for the Terrebonne Parish Consolidated Government to SWDI, LLC in the amount of \$180.00 per service pull, 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: J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams and B. Hebert.

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the resolution adopted on this, the 3rd day of December, 2008.

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Ms. A. Williams moved, seconded by Mr. B. Hebert, "THAT, the Council allow an add on to address a resolution canvassing the returns and results of the election held on November 4, 2008 for amendments to the Home Rule Charter."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Council Clerk P. Labat canvassed the following election returns for the special election held on November 4, 2008 for amendments to the Home Rule Charter:

(i) There was a total of **21,411** votes cast **IN FAVOR OF** Proposition No. 1 and a total of **10,623** votes cast **AGAINST** Proposition No. 1,

(ii) There was a total of **18,663** votes cast **IN FAVOR OF** Proposition No. 2 and a total of **12,961** votes cast **AGAINST** Proposition No. 2,

(iii) There was a total of **21,375** votes cast **IN FAVOR OF** Proposition No. 3 and a total of **10,127** votes cast **AGAINST** Proposition No. 3,

(iv) There was a total of **19,731** votes cast **IN FAVOR OF** Proposition No. 4 and a total of **11,769** votes cast **AGAINST** Proposition No. 4,

(v) There was a total of **19,573** votes cast **IN FAVOR OF** Proposition No. 5 and a total of **11,861** votes cast **AGAINST** Proposition No. 5,

(vi) There was a total of **19,822** votes cast **IN FAVOR OF** Proposition No. 6 and a total of **10,537** votes cast **AGAINST** Proposition No. 6,

(vii) There was a total of **21,783** votes cast **IN FAVOR OF** Proposition No. 7 and a total of **9,694** votes cast **AGAINST** Proposition No. 7, and

(viii) There was a total of **21,788** votes cast **IN FAVOR OF** Proposition No. 8 and a total of **9,404** votes cast **AGAINST** Proposition No. 1.

Upon inquiry by the Chairman, there were no comments from the public on the aforementioned add on.

Ms. A. Williams moved, seconded by Mr. J. Cehan and Mr. B. Hebert, "THAT, the Council close the call for public comments."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The following resolution was offered by Ms. Arlanda Williams and seconded by Mr. Joey Cehan:

RESOLUTION NO. 08-484

A resolution providing for canvassing the returns and declaring the results of the special election held in the Parish of Terrebonne, State of Louisiana, on Tuesday, November 4, 2008, to adopt amendments to the Terrebonne Parish Home Rule Charter.

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

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the Parish of Terrebonne, State of Louisiana, (the "Parish"), on TUESDAY, NOVEMBER 4, 2008, to adopt amendments to the Terrebonne Parish Home Rule Charter, and said Governing Authority does further proceed to examine and canvass the returns and declare the results of the special election.

SECTION 2. Procès Verbal. A *Procès Verbal* of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of Terrebonne, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Results. The results of said election shall be promulgated by publication in the manner provided by law.

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

YEAS: Johnny Pizzolatto, Harold Lapeyre, Clayton J. Voisin, Joey Cehan, Pete Lambert, Alvin Tillman, Arlanda Williams and Billy Hebert.

NAYS: NONE.

ABSENT: Teri C. Cavalier.

And the resolution was declared adopted on this, the 3rd day of December, 2008.

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Mr. J. Cehan moved, seconded by Mr. H. Lapeyre, "THAT, the Council allow an add on to tonight's agenda to address a resolution canvassing the returns and results of the November 4, 2008 election for the renewal of Road Lighting District No. 1 property tax."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Council Clerk P. Labat canvassed the following election returns for the special election held on November 4, 2008 for the renewal of the Road Lighting District No. 1 property tax:

There was a total of **3,800** votes cast **IN FAVOR OF** the Proposition and a total of **1,669** votes cast **AGAINST** the Proposition.

Upon inquiry by the Chairman, there were no comments from the public on the aforementioned add on.

Mr. A. Tillman moved, seconded by Mr. P. Lambert and Ms. A. Williams, "THAT, the Council close the call for public comments."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The following resolution was offered by Mr. Alvin Tillman and seconded by Mr. Joey Cehan and Mr. Harold Lapeyre:

RESOLUTION NO. 08-485

A resolution providing for canvassing the returns and declaring the result of the special election held in Road Lighting District No. 1 of the Parish of Terrebonne, State of Louisiana, on Tuesday, November 4, 2008, to authorize the renewal of a special tax therein.

BE IT RESOLVED by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana (the "Governing Authority"), acting as the governing authority of Road Lighting District No. 1 of the Parish of Terrebonne, State of Louisiana (the "District"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in Road Lighting District No. 1 of the Parish of Terrebonne, State of Louisiana, (the "District"), on TUESDAY, NOVEMBER 4, 2008, to authorize the renewal of a special tax therein, and said Governing Authority does further proceed to examine and canvass the returns and declare the result of the special election.

SECTION 2. Procès Verbal. A *Procès Verbal* of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of Terrebonne, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Result. The result of said election shall be promulgated by publication in the manner provided by law.

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

YEAS: Johnny Pizzolatto, Harold Lapeyre, Clayton J. Voisin, Joey Cehan, Pete Lambert, Alvin Tillman, Arlanda Williams and Billy Hebert.

NAYS: NONE.

ABSENT: Teri C. Cavalier.

And the resolution was declared adopted on this, the 3rd day of December, 2008.

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Mr. P. Lambert moved, seconded by Ms. A. Williams and Mr. B. Hebert, "THAT, the Council allow an add on to tonight's agenda to address a resolution canvassing the returns and results of the November 4, 2008 election on the renewal of Road Lighting District No.5 property taxes."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Council Clerk P. Labat canvassed the following election returns for the special election held on November 4, 2008 for Road Lighting District No. 5:

There was a total of **1,481** votes cast **IN FAVOR OF** the Proposition and a total of **640** votes cast **AGAINST** the Proposition.

Upon inquiry by the Chairman, there were no comments from the public on the aforementioned add on.

Mr. A. Tillman moved, seconded by Mr. P. Lambert, "THAT, the Council close the call for public comments."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The following resolution was offered by Mr. Pete Lambert and seconded by Mr. Harold Lapeyre:

RESOLUTION NO. 08-486

A resolution providing for canvassing the returns and declaring the result of the special election held in Road Lighting District No. 5 of the Parish of Terrebonne, State of Louisiana, on Tuesday, November 4, 2008, to authorize the renewal of a special tax therein.

BE IT RESOLVED by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana (the "Governing Authority"), acting as the governing authority of Road Lighting District No. 5 of the Parish of Terrebonne, State of Louisiana (the "District"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in Road Lighting

District No. 5 of the Parish of Terrebonne, State of Louisiana, (the "District"), on TUESDAY, NOVEMBER 4, 2008, to authorize the renewal of a special tax therein, and said Governing Authority does further proceed to examine and canvass the returns and declare the result of the special election.

SECTION 2. Procès Verbal. A *Procès Verbal* of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of Terrebonne, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Result. The result of said election shall be promulgated by publication in the manner provided by law.

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

YEAS: Johnny Pizzolatto, Harold Lapeyre, Clayton J. Voisin, Joey Cehan, Pete Lambert, Alvin Tillman, Arlanda Williams and Billy Hebert.

NAYS: NONE.

ABSENT: Teri C. Cavalier.

And the resolution was declared adopted on this, the 3rd day of December, 2008.

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Mr. P. Lambert moved, seconded by Mr. J. Cehan, "THAT, the Council allow an add on to tonight's agenda to address a resolution canvassing the returns and results of the November 4, 2008 election regarding millage renewal propositions for the Council on Aging, Mental Health, Health Unit and Parishwide Recreation."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Council Clerk P. Labat canvassed the following election results for the special election held on November 4, 2008 for millage renewal propositions for the Council on Aging, Mental Health, Health Unit, and Parishwide Recreation:

(i) There was a total of **24,065** votes cast **IN FAVOR OF** the Council on Aging Proposition and a total of **9,212** votes cast **AGAINST** the Council on Aging Proposition,

(ii) There was a total of **24,005** votes cast **IN FAVOR OF** the Mental Health Proposition and a total of **9,111** votes cast **AGAINST** the Mental Health Proposition,

(iii) There was a total of **24,435** votes cast **IN FAVOR OF** the Health Unit Proposition and a total of **8,642** votes cast **AGAINST** the Health Unit Proposition, and

(iv) There was a total of **23,877** votes cast **IN FAVOR OF** the Recreation Proposition and a total of **9,135** votes cast **AGAINST** the Recreation Proposition.

Upon inquiry by the Chairman, there were no comments from the public on the aforementioned add on.

Ms. A. Williams moved, seconded by Mr. H. Lapeyre, "THAT, the Council close the call for public comments."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The following resolution was offered by Ms. Arlanda Williams and seconded by Mr. Pete Lambert:

RESOLUTION NO. 08-487

A resolution providing for canvassing the returns and declaring the results of the special election held in the Parish of Terrebonne, State of Louisiana, on Tuesday, November 4, 2008, to authorize the renewal of special taxes therein.

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

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in the Parish of Terrebonne, State of Louisiana, (the "Parish"), on TUESDAY, NOVEMBER 4, 2008, to authorize the renewal of special taxes therein, and said Governing Authority does further proceed to examine and canvass the returns and declare the results of the special election.

SECTION 2. Procès Verbal. A *Procès Verbal* of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of Terrebonne, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Results. The results of said election shall be promulgated by publication in the manner provided by law.

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

YEAS: Johnny Pizzolatto, Harold Lapeyre, Clayton J. Voisin, Joey Cehan, Pete Lambert, Alvin Tillman, Arlanda Williams and Billy Hebert.

NAYS: NONE.

ABSENT: Teri C. Cavalier.

And the resolution was declared adopted on this, the 3rd day of December, 2008.

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Ms. Williams moved, seconded by Mr. H. Lapeyre, "THAT, the Council allow an add on to tonight's agenda to address a resolution canvassing the returns and results of the November 4, 2008 election for the renewal of the Fire Protection District No. 8 property tax."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Council Clerk P. Labat canvassed the following election returns for the special election held on November 4, 2008 for the renewal of the Fire Protection District No. 8 property tax:

There was a total of **590** votes cast **IN FAVOR OF** the Proposition and a total of **238** votes cast **AGAINST** the Proposition.

Upon inquiry by the Chairman, there were no comments from the public on the aforementioned add on.

Ms. A. Williams moved, seconded by Mr. P. Lambert, Mr. B. Hebert, and Mr. J. Cehan, "THAT, the Council close the call for public comments."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The following resolution was offered by Ms. Arlanda Williams and seconded by Mr. Pete Lambert:

RESOLUTION NO. 08-488

A resolution providing for canvassing the returns and declaring the result of the special election held in Fire Protection District No. 8 of the Parish of Terrebonne, State of Louisiana, on Tuesday, November 4, 2008, to authorize the continuation of a special tax therein.

BE IT RESOLVED by the Terrebonne Parish Council of the Parish of Terrebonne, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 8 of the Parish of Terrebonne, State of Louisiana (the "District"), that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at the special election held in Fire Protection District No. 8 of the Parish of Terrebonne, State of Louisiana, (the "District"), on TUESDAY, NOVEMBER 4, 2008, to authorize the continuation of a special tax therein, and said Governing Authority does further proceed to examine and canvass the returns and declare the result of the special election.

SECTION 2. Procès Verbal. A *Procès Verbal* of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and *Ex-Officio* Recorder of Mortgages in and for the Parish of Terrebonne, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority.

SECTION 3. Promulgation of Election Result. The result of said election shall be promulgated by publication in the manner provided by law.

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

YEAS: Johnny Pizzolatto, Harold Lapeyre, Clayton J. Voisin, Joey Cehan, Pete Lambert, Alvin Tillman, Arlanda Williams and Billy Hebert.

NAYS: NONE.

ABSENT: Teri C. Cavalier.

And the resolution was declared adopted on this, the 3rd day of December, 2008.

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The Chairman stated that Mr. August Bonvillain, who was listed on the agenda to address the Council regarding the East Park Fire Station, and Mr. Charles Bonvillain, who also wanted to speak, would defer until the next Council Meeting in two weeks.

Before the Chairman recognized speaker cards from the public, Councilman A. Tillman stated that he has been contacted recently by numerous residents regarding Sub-mar, Inc. and their expansion of a cement plant. He stated that he would call a meeting regarding the matter with residents, representatives from the Planning Department, the Parish Manager, Legal Staff, the Chairman and Vice-Chairwoman of the Council, himself, etc.

The Chairman recognized Mr. Norman Simon, Liberty St. resident, who expressed his concerns relative to Sub-mar, Inc. on Dunn St. with problems he has experienced with this business being located in a residential neighborhood. He expressed his concerns for the expansion of the business to include a cement plant causing additional problems to the residents in the area.

The Chairman recognized Mr. Ted Ponville, Point St. resident, who expressed his concerns relative to Sub-mar, Inc. on Dunn St. causing trucking problems to the neighborhood for the last couple years. He expressed his concerns relative to the permit issued for a cement plant in a residential neighborhood and that the property was not zoned for a concrete plant.

The Chairman recognized Mr. Tommy King, representing Dynasty Transportation Oil Co., that does a lot of business with Sub-mar, who explained how the large trucks are staged and monitored to keep them from causing problems in a residential neighborhood.

Ms. A. Williams moved, seconded by Mr. P. Lambert and Mr. H. Lapeyre, "THAT, it now being 6:30 p.m., the Council open public hearings at this time."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The Chairman recognized the public for comments on the following:

A. A proposed ordinance to adopt the 2009 Budget and the Five Year Capital Improvements Budget, as presented by the Parish President and amended during the budget hearings

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

Mr. H. Lapeyre moved, seconded by Ms. A. Williams, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: A. Tillman

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. H. Lapeyre.

SECONDED BY: Ms. A. Williams.

ORDINANCE NO. 7566

AN ORDINANCE TO ADOPT THE 2009 OPERATIONS AND MAINTENANCE BUDGET AND THE FIVE YEAR CAPITAL IMPROVEMENTS BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT AS PRESENTED BY THE PARISH PRESIDENT AND FURTHER AMENDED BY THE TERREBONNE PARISH COUNCIL; TO SET THE SALARIES OF THE COUNCIL STAFF; AND TO ADDRESS OTHER MATTERS RELATIVE THERETO.

SECTION I

NOW, THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2009 Operations and Maintenance Budget and the Five Year Capital Improvements Budget of the Terrebonne Parish Consolidated Government be hereby adopted, as presented by the Parish President and further amended by the Terrebonne Parish Council.

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: J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, A. Williams and B. Hebert.

NAYS: A. Tillman.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

The Chairman recognized the public for comments on the following:

- B. A proposed ordinance to amend the Parish Code with respect to the enforcement of the Building Code Enforcement Program, to exclude Master Plumbers from the requirements for registration of gas fitters

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. J. Pizzolatto.

SECONDED BY: Mr. A. Tillman.

ORDINANCE NO. 7567

AN ORDINANCE TO AMEND THE PARISH CODE WITH RESPECT TO THE ENFORCEMENT OF THE BUILDING CODE ENFORCEMENT PROGRAM, SO AS TO EXCLUDE MASTER PLUMBERS FROM THE REQUIREMENTS FOR REGISTRATION OF GAS FITTERS; AND TO PROVIDE FOR RELATED MATTERS.

WHEREAS, Section 106 of the Home Rule Charter for the Parish of Terrebonne provides that the parish government shall have the right, power and authority to pass all ordinances requisite or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the Parish, including, but not by way of limitation, the right, power and authority to pass ordinances on all subject matters necessary, requisite or proper for the management of parish affairs, and all other subject matter without exception, subject only to the limitation that the same shall not be inconsistent with the Constitution or expressly denied by general law applicable to the Parish; and

WHEREAS, the Terrebonne Parish Council adopted the Comprehensive Building Code Enforcement Program for the betterment of this community, and

WHEREAS, specific language to omit Master Plumbers from the requirement to register gas fitters was inadvertently excluded from the appropriate section of the Parish Code.

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Parish Code of Terrebonne Parish be amended as follows:

CHAPTER 6. Buildings and Structures

ARTICLE II. Comprehensive Building Code Enforcement Program

Chapter 5. Gas Code

SECTION 6-91. Registration of gas fitters required

- (a) Every person installing, constructing, reconstructing, or repairing any gas piping in Terrebonne, (insert) ***excluding Master Plumbers***, shall be required to annually register as a gas fitter with the Terrebonne Parish Consolidated Government. Gas fitters shall pay to the Terrebonne Parish Consolidated Government an annual registration fee of seventy-five dollars (\$75.00) and shall furnish an occupational license from the Terrebonne Parish Sales and Use Tax Office and a bond with good and solvent surety in the sum of not less than five thousand dollars (\$5,000.00), conditioned to indemnify the Terrebonne Parish Consolidated Government, against loss by reason of the negligence, bad workmanship or the use of any material not approved by the Underwriters' Laboratories, Inc., or for any violation of the gas code.
- (b) Remains the same
- (c) Remains the same
- (d) Remains the same...

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

THERE WAS RECORDED:

YEAS: J. Pizzolatto, H. Lapeyre, J. Cehan, P. Lambert, A. Tillman, A. Williams and B. Hebert.

NAYS: None.

ABSTAINING: C. Voisin.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

The Chairman recognized the public for comments on the following:

- C. A proposed ordinance to provide for the dedication and acceptance of Energy Center of Southeast Louisiana, Phases A and B, and to incorporate Technology Lane into the Enhanced 911 Emergency Response System

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

Ms. A. Williams moved, seconded by Mr. H. Lapeyre, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. J. Cehan and Mr. H. Lapeyre.

ORDINANCE NO. 7568

AN ORDINANCE DEDICATING AND ACCEPTING THE MAINTENANCE/OPERATION OF THE STREET(S), DRAINAGE SERVITUDES, AND RIGHTS-OF-WAY FOR "ENERGY CENTER OF SOUTHEAST LOUISIANA, PHASES A & B" AND TO INCORPORATE "TECHNOLOGY LANE" 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 "Energy Center of Southeast Louisiana, Phases A & B," a copy of which is attached hereto and made a part hereof;

BE IT FURTHER ORDAINED effective on the 17th day of December, 2008, that "Technology Lane" 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: J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams and B. Hebert.

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

The Chairman recognized the public for comments on the following:

- D. A proposed ordinance to amend the Parish Code to include the appropriate changes to the Home Rule Charter that were approved by the voters in the November 4, 2008 election

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

Mr. A. Tillman moved, seconded by Ms. A. Williams and Mr. H. Lapeyre, “THAT, the Council close the aforementioned public hearing.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Ms. A. Williams.

ORDINANCE NO. 7569

AN ORDINANCE AMENDING THE PARISH CODE OF TERREBONNE PARISH SO AS TO REFLECT THE HOME RULE CHARTER AMENDMENTS AS APPROVED BY THE VOTERS ON NOVEMBER 4, 2008.

WHEREAS, the Terrebonne Parish Consolidated Government proposed several amendments to the Home Rule Charter for Terrebonne Parish for voter consideration on November 4, 2008; and

WHEREAS, after learning more about the Charter amendments and that the changes would, in most cases, simply comply with current state law, the voters approved all eight changes to the local “constitution”; and

WHEREAS, in order to comply with the voters’ decision and Section 2-11 (18) of the Terrebonne Parish Charter, the Terrebonne Parish Council must amend the Parish Code so as to include the voter approved modifications to the Home Rule Charter, and

WHEREAS, the United States Department of Justice must review and approve certain Charter amendments due to their relationship to voters.

SECTION I

THEREFORE, BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the Parish Code of Terrebonne Parish be hereby amended to reflect the amendments listed below to the Home Rule Charter for Terrebonne Parish, as approved by the voters of this parish on November 4, 2008.

1.) Section 2-07. Council meetings and rules.

Subsections (c) and (d) shall be revised as follows:

(c) The council shall determine by resolution its own rules and order of business and shall provide for keeping a journal of its minutes and proceedings. This journal shall be a public record. All official actions of the council shall be made available to the public in accordance with state law.

(d) At all regular meetings of the council, the council shall operate from an agenda which shall be made available to the public in accordance with state law at least two (2) days prior to the meeting. The agenda for special or emergency meetings shall be made available to the public as soon as practical prior to the meeting.

2.) Section 2-11. Action Requiring an Ordinance

Amended to include a number 19- Authorize the levy of development impact fees.

3.) Section 2-12. Ordinances in General

Subsection B shall be revised as follows:

All proposed ordinances shall be read by title when introduced and published in full, in summary, or by title within five (5) days after introduction. Except as otherwise provided in Section 2-14 (Emergency Ordinances), no ordinance shall be considered for final passage until it has laid over at least two (2) weeks from the date of introduction and a public hearing has been held on the ordinance.

4.) Section 5-08. Bonded Debt

Shall be amended to read as follows:

The Parish Government is empowered to incur bonded debt in accordance with this charter and the constitution and laws of the state. No proceeds of any bond issue may be expended without specific inclusion in the capital budget. All bond authorizations previously authorized are hereby ratified and afforded.

5.) Section 5-11 Dedication of Emergency Fund

Shall be amended to read as follows:

Each year there shall be a minimum appropriation of \$200,000, or 3% of General Fund revenues based on the previous year final audited revenues, whichever amount is greater, dedicated to an emergency fund account. All funds so appropriated and any interest accruing thereon shall be placed in this dedicated fund and shall be subject to the provisions of this section. In the event the fund has a balance of at least \$1,500,000.00, the appropriation mandated herein shall become discretionary for all such periods of time that the fund has a balance of at least \$1,500,000.00. Every two (2) years the cap of \$1,500,000.00 will be increased by

increments of \$250,000.00 to a maximum cap of \$5,000,000.00 which may be increased by a 2/3 vote of the Council.

6.) Section 6-01 Initiative and Referendum

Subsection B and C shall be amended to read as follows:

B. Within ninety (90) days after the form of the petition shall have been specified, the person or persons circulating the petition shall obtain the signatures of at least fifteen (15) percent of the total registered voters of the Parish. There shall be noted after each signature on the petition the date signed and the address of the signer. Each person circulating a copy of the petition shall attach a sworn affidavit to it stating the number of signers and the fact that each signature was made in the presence of the circulator of the petition.

C. The signed petition shall be filed with the Council within ninety (90) days of the specification of the form of the petition and, upon filing, the Council shall order a canvass of the signatures through the office of the Parish Registrar of Voters to determine their sufficiency and authenticity. The Council's canvass shall be completed within thirty (30) days. If the number of signatures is insufficient or the petition is deficient as to form or compliance with this section, the Council shall notify the person or persons filing the petition of such sufficiency or deficiency and allow thirty (30) days for filing of additional papers, at the end of which time the sufficiency and correctness of the petition shall be determined finally.

7.) Section 6-02 Recall

Subsection A shall be amended to read as follows:

Any elected official of the Parish Government may be removed from office by the electors of the Parish through a recall process. The recall procedure shall be the same as is provided in the general laws of the state.

8.) Section 8-11. Election of officials.

Subsection (a) shall be amended to read as follows:

(a) The first election for the officials provided for by the charter shall coincide with the 1983 elections for governor, and subsequent elections shall be held on corresponding dates every fourth year thereafter. Persons elected under the provisions of this charter shall take office at noon on the Thursday following the first Monday in January after their election.

SECTION II

This ordinance shall become effective upon approval by the U.S. Department of Justice.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

The Chairman recognized the public for comments on the following:

E. A proposed ordinance to approve the 60-day Emergency Ordinance No. 7547, adopted by the Parish Council on October 8, 2008, which appropriated \$2,482,500 from the Dedicated Emergency Contingency Fund for the purpose of addressing the destruction and flood-related damages caused as a result of Hurricanes Gustav and Ike

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Mr. P. Lambert.

ORDINANCE NO. 7570

AN ORDINANCE TO APPROVE THE SIXTY (60) DAY EMERGENCY ORDINANCE NO. 7547, ADOPTED BY THE PARISH COUNCIL ON OCTOBER 8, 2008, WHICH APPROPRIATED \$2,482,500 FROM THE DEDICATED EMERGENCY CONTINGENCY FUND FOR THE FOLLOWING PURPOSES OF ADDRESSING THE DESTRUCTION AND FLOOD RELATED DAMAGES CAUSED AS A RESULT OF HURRICANES GUSTAV AND IKE; CALL A PUBLIC HEARING ON DECEMBER 3, 2008 AT 6:30 P.M.; AND TO PROVIDE FOR OTHER RELATED MATTERS:

- Emergency repairs and rehabilitation of the 4-1 Levee in Pointe-aux Chenes, estimated to cost \$500,000.
- Repair, rehabilitation and improvement of the Ward 7 Levee in Chauvin, at an estimated cost of \$4.0 million, of which \$1.0 million is necessary to initiate the emergency phase of the project, with subsequent funding proposed in the 2009 in the amount of \$3.0 million.
- Repair and rehabilitate the Clinton Street Pump Station, at an estimated cost of \$2.33 million, of which 25% match of \$582,500 is necessary to apply for NRCS Grants.
- Emergency site acquisitions and servitudes for the Susie Canal/Susie Canal Extension/Orange St. representing the local funding share estimated to be \$400,000; in conjunction with the "Non-Federal Levee Project".

WHEREAS, on October 8, 2008, the Parish Council adopted an emergency ordinance to appropriate \$2,482,500 from the Dedicated Emergency Fund, and

WHEREAS, pursuant to Section 1-13 of the Terrebonne Parish Code of Ordinances, an emergency ordinance shall be effective for no longer than sixty (60) days after final approval, and

WHEREAS, the Parish President was hereby authorized to expend and utilize those monies necessary, from the emergency appropriation and in his discretion, for purposes of addressing the subject emergency, along with providing the Parish Council with a report of all such actions, and

WHEREAS, the projects continue to be a priority resulting from the destruction and flood related damages caused as a result of Hurricanes Gustav and Ike.

NOW, THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2008 Adopted Budget of the Terrebonne Parish Consolidated Government be amended so as to concur and approve the transfer of \$2,482,500 adopted in Emergency Ordinance Number 7547 on October 8, 2008.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

***Note: Agenda Items 6:30 F and 6:30 G were inadvertently taken out of order, therefore the next item addressed was 6:30 G then 6:30 F.**

The Chairman recognized the public for comments on the following:

G. A proposed ordinance to amend the 2008 Budget to recognize the funds from the FEMA Grant Award for the purchase of generators and related equipment

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. H. Lapeyre and Ms. A. Williams.

ORDINANCE NO. 7571

AN ORDINANCE TO AMEND THE 2008 ADOPTED BUDGET SO AS TO RECOGNIZE FEMA GRANT AWARD FOR PURCHASE OF GENERATORS AND RELATED EQUIPMENT.

SECTION I

WHEREAS, the Parish has received a grant from the Governor's Office of Homeland Security and Emergency Preparedness in the amount of \$648,204, and

WHEREAS, this grant will allow the Parish to purchase generators for emergency situations and place them in strategic locations in the parish, and

WHEREAS, the Parish does not have to allocate any match funds for this grant.

BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2008 Adopted Budget of the Terrebonne Parish Consolidated Government be amended reflect the grant award for the purchase of the emergency generators. (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: J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams and B. Hebert.

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

ATTACHMENT A - GENERATORS GRANT

Statewide Generator Program	648,204
FEMA Generators	(648,204)

* * * * *

The Chairman recognized the public for comments on the following:

- F. A proposed ordinance to amend the 2008 Budget so that the Parish Government can effectuate the appropriation of funds for purposes of addressing the destruction and flood-related damages caused as a result of Hurricanes Gustav and Ike

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

Ms. A. Williams moved, seconded by Mr. J. Cehan, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.
 SECONDED BY: Mr. P. Lambert and Mr. J. Cehan.

ORDINANCE NO. 7572

AN ORDINANCE DECLARING AN EMERGENCY PURSUANT TO R.S. 38:2212(d) AND SECTIONS 2-14, 5-04(b) OF THE HOME RULE CHARTER FOR THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT TO EFFECTUATE THE APPROPRIATION OF FUNDS FOR PURPOSES OF ADDRESSING THE DESTRUCTION AND FLOOD RELATED DAMAGES CAUSED AS A RESULT OF HURRICANES GUSTAV AND IKE.

SECTION I

WHEREAS, on August 28, 2008, Parish President Michel H. Claudet declared a State of Emergency to exist relative to Hurricane Gustav in Terrebonne Parish and, on September 8, 2008, declared a State of Emergency to exist relative to Hurricane Ike in Terrebonne Parish, so that immediate action could take place to prepare for and address both natural disasters, and

WHEREAS, Hurricanes Gustav and Ike caused extensive infrastructure damage and flooding conditions due to high winds and high tides, and

WHEREAS, on September 17, 2008, the Parish Council adopted Resolution 08-364 directing Administration to immediately initiate projects deemed a high priority during the post storm period, and

WHEREAS, Administration desires to immediately initiate the following projects which are deemed a high priority during the continued post storm recovery period:

- Bayou Terrebonne Tree Removal, (NRCS) Work Project at an estimated total cost of \$405,400 with the Parish's 25% share to be \$101,350.
- Restore Aggregate Shoulders & Roadways in affected areas of Terrebonne Parish, (FEMA) Work Project at an estimated cost of \$1,707,913, with the Parish's 25% share to be \$426,978.
- Levee Restoration to Pre-Storm Conditions (FEMA) Work Project at an estimated cost of \$1,755,690 with the Parish's 25% share to be \$438,923.
- Island Road Restoration (FEMA) Work Project at an estimated cost of \$3,500,000 with the Parish's 25% share to be \$875,000.
- Investigation of all Pump Stations (FEMA) Work Project at an estimated \$300,000 with the Parish's 25% share to be \$75,000.
- St. Louis Bayou Clearing (NRCS) Work Project at an estimated \$968,745 with the Parish's share to be \$242,185.
- Physical Plant Loss Fund for repairs to Parish buildings with the Parish's share not covered by insurance and/or FEMA to be \$775,000.

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

An extreme, public emergency, namely an unforeseen event bringing with it the destruction and injury to life or property, is hereby certified and declared to exist with respect to infrastructure and flood damage caused by Hurricanes Gustav and Ike;

The Parish President is hereby authorized to expend and utilize those monies necessary (See Attachment A), from the above emergency appropriation and in his discretion, for purposes of addressing the subject emergency, along with providing the Parish Council with a report of all such actions.

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

ATTACHMENT A - HURRICANES GUSTAV
AND IKE CLEANUPS

252-351-8422-90	Gustav Drainage Projects	1,374,145
252-000-7106-55	Transfer from Parishwide Drainage Construction	(343,535)
252-000-6318-10	NRCS - Gustav/Ike	(1,030,610)
655-999-9102-52	Transfer to Drainage Fund	343,535
655-351-8929-56	Exhibit Channel 14 Improvements	(343,535)
252-351-8422-89	Ike Drainage Projects	2,055,690
252-000-7106-55	Transfer from Parishwide Drainage Construction	(513,923)
252-000-6318-89	FEMA - Ike	(1,541,767)
655-999-9102-52	Transfer to Drainage Fund	513,923
655-351-8929-56	Exhibit Channel 14 Improvements	(513,923)
251-310-8422-89	Ike Road & Bridge Projects	5,207,913
251-000-7106-56	Transfer from Parishwide Sewerage Construction	(1,301,978)
251-000-6318-89	FEMA - Ike	(3,905,935)
656-999-9102-51	Transfer to Road & Bridge Fund	1,301,978
656-431-8927-34	MLK Sewers	(1,301,978)
151-999-9103-74	Transfer to Public Building Loss Fund	775,000
151-000-5111-00	Fund Balance (Decrease)	(775,000)
374-155-8334-30	Physical Plant Insurance	775,000
374-000-7101-51	Transfer from General Fund	(775,000)
	Total Project Costs - Gustav	1,374,145
	Total Project Costs - Ike	7,263,603
		<hr/> 8,637,748
	Parish's 25% - Gustav	(343,535)
	Parish's 25% - Ike	(1,815,901)
		<hr/> (2,159,436)
	FEMA Reimbursements - Ike	(5,447,702)

	NRCS Reimbursements - Gustav	(1,030,610)
		<u>(6,478,312)</u>
151-000-5111-00	Fund Balance (Physical Plant Loss Fund)	775,000
655-351-8929-56	Exhibit 14 Channel Improvements	857,458
656-431-8927-34	MLK Sewers	1,301,978
		<u>2,934,436</u>

The Chairman recognized the public for comments on the following:

H. A proposed ordinance to amend the 2008 Budget to recognize funding from FEMA for the elevation of various properties located throughout Terrebonne Parish

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

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. J. Cehan.

ORDINANCE NO. 7573

AN ORDINANCE TO AMEND THE 2008 ADOPTED BUDGET OF THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT SO AS TO RECOGNIZE FUNDING FROM FEMA FOR ELEVATIONS OF VARIOUS PROPERTIES LOCATED THROUGHOUT TERREBONNE PARISH.

SECTION I

WHEREAS, the Parish has received Federal funding for Project Number HMGP #1607-109-0001, FEMA-1607-DR-LA for a total of \$1,406,424 which is available through the Hazard Mitigation Grant Program (HMGP), and

WHEREAS, this grant is for eleven (11) properties located throughout the parish (see attached list), and

WHEREAS, all individual structures must comply with the Advisory Base Flood Elevation (ABFE), if issued, even if the ABFE has not been approved by the Parish.

NOW, THEREFORE BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2008 Adopted Budget of the Terrebonne Parish Consolidated Government be amended so as to accept the FEMA acquisitions of several properties throughout Terrebonne Parish. (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: J. Pizzolatto, H. Lapeyre, C. Voisin, J. Cehan, P. Lambert, A. Tillman, A. Williams and B. Hebert.

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

ATTACHMENT A - HAZARD MITIGATION GRANT

HMGP 1607-109-0001 Elevation	(1,043,258)
1607-01 State Participation	(347,753)
1607-01 Administration Fees	(15,413)
Elevation 1607-01	1,391,011
Other Fees 1607-01	15,413

* * * * *

The Chairman recognized the public for comments on the following:

- I. A proposed ordinance to declare computers and other miscellaneous equipment from various Parish Departments/Divisions as surplus and authorizing said items to be disposed of by any legally approved method

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

Ms. A. Williams moved, seconded by Mr. B. Hebert and Mr. H. Lapeyre, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. P. Lambert.

ORDINANCE NO. 7574

An Ordinance to declare computers and other miscellaneous equipment from the Government Buildings, Houma Police, Housing & Human Services, Human Resources, Pollution Control, Risk Management, and Vegetation as surplus as described in the attached Exhibit "A" and authorizing said items to be disposed of by public bid, negotiated sale, junked or by any other legally approved method.

SECTION I

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

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

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

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EXHIBIT 'A'

Surplus List

- 2 - Computer Monitors (Government Buildings)
- 2 - CPUs (Government Buildings)
- 1- Keyboard/ 1Mouse (Government Buildings)
- 1- Laptop (Police)
- 1 - Amana upright freezer (Housing & Human Services)
- 1 - Projection Screen (Human Resources)
- 1 - Typewriter Table (Human Resources)
- 10 - File Cabinets (Human Resources)
- 1 - Calculator (Human Resources)
- 1 - Cart (Human Resources)
- 5 - Keyboards (Risk Mngmt./ Human Resources)
- 6 - Mouse (Risk Mngmt./ Human Resources)
- 2 - Computer Speakers (Risk Mngmt./ Human Resources)
- 3 - Monitors (Risk Mngmt./ Human Resources)
- 3 - CPUs (Risk Mngmt./ Human Resources)
- 1 - Telephone System/10 phone/1 control box (Pollution Control)
- 1- Kodak Camera (Vegetation)
- 1 - Metal Desk (Vegetation)

* * * * *

The Chairman recognized the public for comments on the following:

- J. A proposed ordinance to amend the Budget to make necessary adjustments to the Sanitation Fund, two State Office of Culture Development Grants, and a DHHS Grant

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

Ms. A. Williams moved, seconded by Mr. H. Lapeyre, "THAT, the Council close the aforementioned public hearing."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. H. Lapeyre.

ORDINANCE NO. 7575

AN ORDINANCE TO AMEND THE 2008 ADOPTED BUDGET FOR THE TERREBONNE PARISH CONSOLIDATED GOVERNMENT SO AS TO MAKE NECESSARY ADJUSTMENTS FOR THE FOLLOWING ITEMS:

- I. Transfer to General Fund from Sanitation Fund : \$531,473
- II. Two (2) State Office of Cultural Development Grants: \$7,500
- III. Dept. of Health & Human Services Grant: \$18,500

SECTION I

WHEREAS, Animal Shelter is under the Department/Division of Utilities/Sanitation and

WHEREAS, through Ordinance 7541, the Sanitation Fund was reclassified as Enterprise Fund with the Animal Shelter remaining as a General Government Function now reported in the General Fund, and

WHEREAS, the Sanitation Fund will remain as the principal funding source for the Animal Shelter, with an estimated supplement of \$531,473 for the year of 2008.

BE IT ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2008 Adopted Budget of the Terrebonne Parish Consolidated Government be amended so as to transfer funds from the Sanitation Fund to the General Fund for the Animal Shelter. (Attachment A)

SECTION II

WHEREAS, the Parish is receiving two grants from the Office of Cultural Development one known as the 2008 Main to Main Grants, \$5,000 and the second is known as World Cultural Economic Forum, \$2,500, and

WHEREAS, the purpose of these grants is to continue the networking of our dedicated communities and leaders as well as leveraging our cultural assets to promote tourism.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2008 Adopted Budget of the Terrebonne Parish Consolidated Government be amended for the 2008 Main to Main and World Cultural Economic Forum Grants of the State Office of Cultural Development. (Attachment B)

SECTION III

WHEREAS, the Parish is in receipt of a grant from the Department of Health and Human Services for Children and Families Financial Assistance Award, and

WHEREAS, this awards a one-time Training and Technical Assistance supplement of \$3,500, and

WHEREAS, this grant also awards \$15,000 to relocate Gray classroom portable building to the Church Street site as well as set up the awning and ramp at Church Street site.

BE IT FURTHER ORDAINED, by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that the 2008 Adopted Budget of the Terrebonne Parish Consolidated Government be amended to recognize the Department of Health and Human Services Administration for Children and Families Financial Assistance Award. (Attachment C)

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: T. Cavalier.

The Chairman declared the ordinance adopted on this, the 3rd day of December, 2008.

* * * * *

ATTACHMENT A - SANITATION FUND

	2008		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Transfer to General Fund	-	531,473	531,473
Fund Balance (Decrease)	N/A	(531,473)	N/A
Fund Balance (Increase)	N/A	531,473	N/A
Transfer from Sanitation Fund	-	(531,473)	(531,473)

ATTACHMENT B - STATE OFFICE OF CULTURAL DEVELOPMENT GRANTS

	2008		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Downtown Development	108,932	7,500	116,432
OCD LA Main to Main	-	(7,500)	(7,500)

ATTACHMENT C - DEPT. OF HEALTH & HUMAN SERVICES

	2008		
	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Gray Classroom Relocation	-	15,000	15,000
Travel & Training	14,281	3,500	17,781
HEAD Start	1,248,139	(18,500)	1,229,639

Mr. P. Lambert moved, seconded by Ms. A. Williams and Mr. A. Tillman, "THAT, the Council continue with the regular order of business."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The Chairman recognized Mr. David Belanger, Academy St. resident, who stated his residence is the closest to Sub-mar and his household is often disturbed by the noise of the eighteen-wheelers. He expressed his opposition to the concrete plant that is intended to operate there.

The Chairman recognized Mr. Kenneth McAllester, President of Sub-mar, Inc., who stated that Sub-mar has been at this facility since 1983. He stated he does agree with the residents on the trucking issues. He extended his willingness to work with the Parish to solve the problem of the trucks traveling on residential streets. He stated that Sub-mar is a concrete company and has been batching concrete for the last fifteen years. He stated that they are just upgrading their equipment by instead of purchasing ready mix they will batch it on-site with new and more modern equipment. He explained that the zoning issues go back to the 1940's and they did attempt to find a different location, but it was not feasible.

The Chairman recognized Mr. Eugene Dusenbrry, Dunn St. resident, who expressed his concerns relative to truck traffic and the proposed cement plant on Dunn St. because of his health problems. He expressed his concerns that drainage catch basins that may be affected.

The Chairman recognized Mr. John Watson, High St. resident, who stated that it is his belief that Sub-mar was maybe "grandfathered" in as it relates to zoning. He stated that it is clear to him that the company has outgrown its facility. He stated that he also believes that the concrete facility, which is changing what they are presently doing, would require the business to be brought up to Code, Zoning standards and Planning Department approval to make cement.

Councilman J. Pizzolatto suggested that the matter of the Permit Department notifying the Council Member of any commercial business attempting to locate within 500' of a residential neighborhood be discussed in the Policy, Procedure & Legal Committee.

Councilman A. Tillman stated that a few years ago, he had requested that Council Members be notified by the Permit Department, informing Council Members of any commercial business attempting to locate within 500' of a residential neighborhood and the action was approved by the Council.

Councilman B. Hebert explained a situation that recently took place in Lisa Park Subdivision when a furniture truck traveling on a residential street pulled down utility poles and wires. He stated he plans to address approved truck routes for businesses in Terrebonne Parish so as not to disrupt the residential neighborhoods in Terrebonne Parish and fines for those who do not adhere to them.

Councilman A. Tillman stated that he would like to call the meeting to discuss Sub-mar and their proposed cement plant on Wednesday, December 10 at 11:00 a.m. in the 6th floor conference room. He stated all interested parties are invited to attend. He instructed the Parish Manager to direct Drainage staff to investigate the catch basins to make sure there are no problems with the water draining into the canal.

The Chairman recognized Mr. Reggie Bourg, Dulac resident, who expressed his concerns relative to the thirty million dollar levee project in Dulac and the Morganza to the Gulf, Jr. levee. He expressed his concerns relative to the truth and correctness in what is being proposed for the levee in Dulac. He expressed his concerns relative to the lack of a Dulac/Grand Caillou/Ashland Hurricane protection plan or any levee on the west side of Grand Caillou. He stated that he believes flooding will happen again unless a circle levee is placed around Dulac/Grand Caillou or some type of barrier with Morganza to the Gulf to stop water from coming in. He questioned whether the Morganza levee would be a Federal levee.

The Chairman called for a report on the Policy, Procedure, & Legal Committee meeting held on 12/1/08, whereupon the Committee Chairwoman rendered the following:

POLICY, PROCEDURE, & LEGAL COMMITTEE

DECEMBER 1, 2008

The Chairwoman, Arlanda Williams, called the Policy, Procedure, & Legal Committee meeting to order at 5:31 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by T. Cavalier and the Pledge of Allegiance led by P. Lambert. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, H. Lapeyre, J. Pizzolatto, C. Voisin, and A. Williams. Committee Member A. Tillman was recorded as absent. A quorum was declared present.

The Chairwoman announced that Committee Member A. Tillman was delayed in traffic and would arrive later in the proceedings.

Mr. B. Hebert moved, seconded by Mr. P. Lambert, "THAT, the Policy, Procedure, & Legal Committee retain the matter relative to mobile access to e-mail and instant messages on Council laptops in committee for two weeks."

The Chairwoman 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, H. Lapeyre, J. Pizzolatto, C. Voisin, and A. Williams.

NAYS: None.

ABSENT: A. Tillman.

The Chairwoman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. C. Voisin, "THAT, the Public Services Committee add on to the agenda the matter relative to establishing a policy with regards to Administrative meetings with citizens."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: T. Cavalier.

ABSENT: A. Tillman.

The Chairwoman declared the motion *fails* due to an opposing vote.

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

The Chairwoman 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, H. Lapeyre, J. Pizzolatto, C. Voisin, and A. Williams.

NAYS: None.

ABSENT: A. Tillman.

The Chairwoman declared the motion adopted and the meeting was adjourned at 5:34 p.m.

Arlanda Williams, Chairwoman

Suzette Thomas, Minute Clerk

Ms. A. Williams, seconded by Mr. J. Cehan and Mr. J. Pizzolatto, "THAT, the Council accept and ratify the minutes of the Policy, Procedure, & Legal Committee meeting held on 12/1/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman and T. Cavalier

The Chairman declared the motion adopted.

The Chairman called for a report on the Public Services Committee meeting held on 12/1/08, whereupon the Committee Chairman rendered the following:

PUBLIC SERVICES COMMITTEE

DECEMBER 1, 2008

The Chairman, Johnny Pizzolatto, called the Public Services Committee meeting to order at 5:38 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Williams 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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Mr. C. Voisin.

RESOLUTION NO. 08-489

A Resolution providing for the acceptance of work performed by Chem Spray South, Inc, in accordance with the Certificate of Substantial Completion for Parish Project No. 08-NRCS-36, Hurricane Gustav Bayou Terrebonne Tree Removal, Terrebonne Parish, Louisiana.

WHEREAS, by contract dated September 26, 2008, Terrebonne Parish Consolidated Government did award a contract to Chem Spray South, Inc. for Parish Project No. 08-NRCS-36, Hurricane Gustav Bayou Terrebonne Tree Removal, Terrebonne Parish, Louisiana, as will be seen by reference to said contract which is recorded under Entry No. 1307361 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. 1307361 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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

OFFERED BY: Mr. H. Lapeyre.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-490

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

WHEREAS, the Terrebonne Parish Consolidated Government entered into a contract with Low Land Construction Company, Inc., for Parish Project No. 02-DRA-28, Forced Drainage Project 1-1A Drainage Improvements, Phase 8 (La 311 Box Culvert Cleanout and Trash Screen), Terrebonne Parish, Louisiana, and

WHEREAS, this change order is to increase project time due to weather conditions and delays associated with Hurricanes Gustav and Ike, and

WHEREAS, the contractor is requesting an additional 55 days, with no increase in price, and

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

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Change Order No. 1 to the construction agreement with Low Land Construction Company, Inc., to perform construction services for project No.02-DRA-28, Forced Drainage Project 1-1A Drainage Improvements, Phase 8 for an additional 55 contract days with no increase in 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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin and A. Williams.

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.
* * * * *

OFFERED BY: Ms. T. Cavalier.
SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 08-491

A resolution approving Change Order No. 1 of the construction agreement with Fordice Construction Company, for Parish Project No. 01-DRA-40, 1-1B Forced Drainage System Channels, Phase 2 (Six Foot Ditch at La 182 Northward to the Intersection of St. Louis Canal with CCC Ditch), Terrebonne Parish, Louisiana

WHEREAS, the Terrebonne Parish Consolidated Government entered into a construction agreement with Fordice Construction Company, for Parish Project No. 01-DRA-40, 1-1B Forced Drainage System Channels, Phase 2 (Six Foot Ditch at La 182 Northward to the Intersection of St. Louis Canal with CCC Ditch), Terrebonne Parish, Louisiana, and

WHEREAS, a change order is necessary to remove two trees in the no work zone of the project, and

WHEREAS, this change order is necessary in order to increase the contract price by \$6,000.00 to provide for these services, and

WHEREAS, the Engineer for this project, T. Baker Smith, Inc., recommends this change order, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the Parish President Michel Claudet, to execute this change order which results in a cost increase in the amount of Six Thousand Dollars and No Cents (\$6,000.00), for Parish Project No. 01-DRA-40, 1-1B Forced Drainage System Channels, Phase 2, Terrebonne Parish, Louisiana.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.
* * * * *

The Chairman announced that Item No. 4 (RESOLUTION: Authorizing the execution of Change Order No. 1 (Balancing) with Sealevel Construction, Inc. for the construction agreement for the South Houma Boat Launch Improvements Project *decrease of \$36,575.00*) has been withdrawn from the agenda, as per the request of Administration.

Public Works Director Greg Bush explained that Administration received complaints regarding problems at the South Houma Boat Launch; that the contractor completed the work; that Administration was in the process of preparing a change order; that a field order was issued regarding the placement of the bolts; that the Council opposed the current placement of the bolts; that the contractor was re-authorized to reset the bolts; and that there will be a credit of approximately \$34,000.00 as a result of the changes.

Council Clerk Paul Labat noted that the Public Works - Engineering Division requested that the item be removed prior to its placement on the agenda. (NO ACTION TAKEN)

OFFERED BY: Mr. A. Tillman.
SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 08-492

A resolution approving Change Order No. 4 to the Construction Agreement with Civil Constructors, Inc. for the Ashland Landfill Drainage Improvements and Resident Drop Off Facility resulting in a decrease of \$49,429.95.

WHEREAS, the Terrebonne Consolidated Government entered into an construction agreement with Civil Constructors, 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. 4 of the construction agreement with Civil Constructors, Inc. for the Ashland Landfill Drainage Improvement and Residential Drop Off Facility resulting in a decrease of \$49,429.95.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

OFFERED BY: Mr. C. Voisin.
SECONDED BY: Mr. B. Hebert.

RESOLUTION NO. 08-493

A resolution ratifying the appointment of the engineering firm of Gulf South Engineers, Inc. to provide engineering services for the Investigation / Repairs of Drainage Pump Stations and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to have an evaluation performed on drainage pump stations affected by Hurricanes Gustav and Ike, and

WHEREAS, the primary purpose of these services is to evaluate the structural, electrical, and mechanical integrity of the damaged pump stations, insuring that the entire process is done properly and expeditiously, and

WHEREAS, the engineering firm of Gulf South Engineers, Inc., has been selected through the Request for Qualifications process to provide the required services for the Investigation / Repairs of Drainage Pump Stations; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), does hereby ratify the appointment of the engineering firm of Gulf South Engineers, Inc. by Terrebonne Parish President Michel Claudet for professional engineering services for the Investigation / Repairs of Drainage Pump Stations; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of Gulf South Engineers, Inc. by Terrebonne Parish President Michel Claudet, for the Investigation / Repairs of Drainage Pump Stations.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

Mr. P. Lambert moved, seconded by Ms. A. Williams, "THAT, the Public Services Committee authorize the Parish President to award and sign the construction contract for the Isle de Jean Charles Road Emergency Shoulder Road Repairs Project and authorize the issuance of the Notice to Proceed." (**RESOLUTION OFFERED AFTER DISCUSSION)

Interim Parish Manager Patrick Gordon noted that the aforementioned matter is predicated upon the adoption of a budget amendment at Wednesday's Council meeting.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-494

A Resolution awarding and authorizing the signing of the Construction Contract for Parish Project No. 08-ROAD-52, Isle of Jean Charles Road Emergency Shoulder Road Repairs, Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government did receive construction bids on Parish Project No. 08-ROAD-52, Isle of Jean Charles Road Emergency Shoulder Road Repairs, Terrebonne Parish, Louisiana, and

WHEREAS, the firm of Phylway Construction, L.L.C., submitted the lowest responsible bid of \$1,922,500.00 to construct this project, and

WHEREAS, Administration has recommended that the award of the contract be made to the firm of Phylway Construction, L.L.C., and

NOW, THEREFORE BE IT RESOLVED, that all bid items necessary for the completion of Parish Project No. 09-ROAD-52, Isle of Jean Charles Road Emergency Shoulder Road Repairs, be awarded to the firm of Phylway Construction, L.L.C., and

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of Administration be approved, and that the bid submitted by, Phylway Construction, L.L.C, in the amount of One Million, Nine Hundred Twenty Two Thousand, Five Hundred Dollars and zero cents (\$1,922,500.00) be accepted as per attached bid forms, and

BE IT FURTHER RESOLVED, that the Parish President be authorized to execute all necessary Contract Documents to authorize Phylway Construction, L.L.C to proceed with all necessary services for the completion of the project, and

BE IT FURTHER RESOLVED, that the approval of this contract be contingent upon the adoption of a budget amendment ordinance providing funds for said project.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 08-495

A resolution ratifying the appointment of the engineering firm of Gulf South Engineers, Inc. to provide engineering services for Parish Project No. 08-IKE-44, Hurricane Ike Levee Repairs Monitoring and Maintenance and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to appoint an Engineer for the monitoring and management of the repairs of levees in Terrebonne to pre-storm condition following Hurricane Ike, and

WHEREAS, the primary purpose of these services is to insure that the entire levee repair is done properly and expeditiously, and

WHEREAS, the engineering firm of Gulf South Engineers, Inc., has been selected through the Request for Qualifications process to provide the required services for the Hurricane Ike Levee Repairs Monitoring and Maintenance; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), does hereby ratify the appointment of the engineering firm of Gulf South Engineers, Inc. by Terrebonne Parish President Michel Claudet for professional engineering services for the Hurricane Ike Levee Repairs Monitoring and Maintenance; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of Gulf South Engineers, Inc. by Terrebonne Parish President Michel Claudet, for Parish Project No. 08-IKE-44, Hurricane Ike Levee Repairs Monitoring and Maintenance.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-496

WHEREAS, the Terrebonne Parish Consolidated Government has entered into a contract with Rylee Contracting, Inc., for the project known as "Plantation Gardens Gasline Improvements, Parish Project # 07-GAS-14", filed under Entry # 1291818 and dated 3/19/08, in the Terrebonne Parish Courthouse, and

WHEREAS, the Project Engineer, Milford & Associates, Inc., has submitted a Final & Equalizing Plan Change for this project in the amount of \$12,934.81 OVERRUN.

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does authorize Parish President Michel Claudet to execute Change Order # 1 (Final & Equalizing Plan Change) to the contract for the Plantation Gardens Gasline Improvements, 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. 1291818, dated 3/19/08, of the records of Terrebonne Parish, Louisiana;

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 08-497

A resolution ratifying the appointment of the engineering firm of Gulf South Engineers, Inc. to provide engineering services for the Restoring Aggregate Shoulders and Roadways in Affected Areas of Terrebonne Parish, Category "B" Work, Parish Project No. 08-IKE-38; and authorizing execution of an engineering agreement for these services.

WHEREAS, the Terrebonne Parish Consolidated Government wishes to restore the aggregate shoulders and roadways in affected areas of Terrebonne Parish due to Hurricanes Gustav and Ike, and

WHEREAS, the engineering firm of Gulf South Engineers, Inc., has been selected through the Request for Qualifications process to provide the required services for the Restoration of Aggregate Shoulders and Roadways in Affected Areas of Terrebonne Parish, Category "B" Work, Parish Project No. 08-IKE-38; and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), does hereby ratify the appointment of the engineering firm of Gulf South Engineers, Inc. by Terrebonne Parish President Michel Claudet for professional engineering services for the Restoration of Aggregate Shoulders and Roadways in Affected Areas of Terrebonne Parish, Category "B" Work, Parish Project No. 08-IKE-38; and

BE IT FURTHER RESOLVED that the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, does hereby authorize the execution of an engineering agreement with the engineering firm of Gulf South Engineers, Inc. by Terrebonne Parish President Michel Claudet, for the Restoration of Aggregate Shoulders and Roadways in Affected Areas of Terrebonne Parish, Category "B" Work, Parish Project No. 08-IKE-38.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

Public Works Director Greg Bush stated that the aforementioned project includes all roadways in Terrebonne Parish that were flooded by storm water.

Committee Member P. Lambert expressed concern regarding the rapid deterioration of limestone and the base foundation of roadways extending from Prospect Road to Cocoderie in the recent past.

Mr. Bush stated that Administration would investigate the grading technique used for the placement of limestone on Parish roadways.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 08-498

A resolution authorizing the execution of Amendment No. 1 for the Engineering Agreement for Parish Project No. 07-ROAD-24 (Thompson Road Extension Study and Report).

WHEREAS, the Terrebonne Parish Consolidated Government entered into an engineering agreement dated August 1, 2007, with Shaw Coastal, Inc., to perform engineering services for Parish Project No. 07-ROAD-24, Thompson Road Extension Study and Report, and

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

WHEREAS, the Terrebonne Parish Consolidated Government would like to continue with the engineering effort necessary to proceed with this project, and

WHEREAS, the limitation of cost for Additional Services needs to be increased to continue the permitting process, and

NOW, THEREFORE BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, does hereby approve and authorize the execution by Terrebonne Parish President Michel Claudet of Amendment No. 1 for the engineering agreement with Shaw Coastal, Inc., to perform engineering services for project No. 07-ROAD-24 (Thompson Road Extension Study and Report) which results in a total increase of Eighteen Thousand One Hundred Eighty Dollars and No Cents (\$18,180.00) to the original contract amount; and,

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

OFFERED BY: Mr. J. Cehan.
 SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-499

A Resolution awarding and authorizing the signing of the Construction Contract for Parish Project No. 08-LEV-41, SPN 576-55-0023, Upper Ward 7 Levee Reconstruction Phase 2A; Emergency Project: North of Bayou Neuf to South Central Blvd., Terrebonne Parish, Louisiana, and authorizing the issuance of the Notice to Proceed.

WHEREAS, the Terrebonne Parish Consolidated Government did receive construction bids on Parish Project No. 08-LEV-41, SPN 576-55-0023, Upper Ward 7 Levee Reconstruction Phase 2A; Emergency Project: North of Bayou Neuf to South Central Blvd., Terrebonne Parish, Louisiana, and

WHEREAS, the lowest and best bid was that submitted by Phylway Construction, LLC, Thibodaux, Louisiana, in the overall amount of \$1,882,755.00, and

NOW, THEREFORE, BE IT RESOLVED that the Terrebonne Parish Council (Public Services Committee), on behalf of the Terrebonne Parish Consolidated Government, award the construction contract to Phylway Construction, LLC, in the overall amount of \$1,882,755.00, and

BE IT FURTHER RESOLVED that the President of Terrebonne Parish Consolidated Government is hereby authorized and empowered to sign a construction contract for and on behalf of the Terrebonne Parish Consolidated Government with Phylway Construction, LLC, upon receipt of the performance bond in the amount of the contract price, and

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

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

Committee Member H. Lapeyre requested that the next Council District 6 representative address and seek funding in the 2009/2010 Budget to take restorative action with respect to drainage concerns in the vicinity of Country Club Drive/Concord Road.

Public Works Director Greg Bush stated that GSE Associates, Inc. completed an engineering study in 2005 that included the Country Club Drive area; that the firm recommended the construction of a levee in the area inclusive of two culverts with flap gates; and that the project cost is estimated to be \$225,000.00.

Mr. H. Lapeyre moved, seconded by Mr. C. Voisin, "THAT, the Public Services Committee retain the matter with respect to drainage concerns along Country Club Drive in committee for further evaluation."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Parish Attorney Courtney Alcock stated that the Legal Department intended to submit the drainage servitude agreement for the Baker and Friendswood Drives behind Odelia Street; however, the submission has been delayed in anticipation of additional changes to the agreement by the land owner. (NO ACTION TAKEN)

Mr. A. Tillman moved, seconded by Mr. C. Voisin and Mr. J. Cehan, "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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 5:56 p.m.

Johnny Pizzolatto, Chairman

Suzette Thomas, Minute Clerk

Mr. J. Pizzolatto moved, seconded by Ms. A. Williams, "THAT, the Council accept and ratify the minutes of the Public Services Committee meeting held on 12/1/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman and T. Cavalier

The Chairman declared the motion adopted.

The Chairman called for a report on the Community Development & Planning Committee meeting held on 12/1/08, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 12/17/08 and 1/14/09, rendered the following:

COMMUNITY DEVELOPMENT & PLANNING COMMITTEE

DECEMBER 1, 2008

The Chairman, Joey Cehan, called the Community Development & Planning Committee meeting to order at 6:02 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by A. Tillman 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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams. A quorum was declared present.

OFFERED BY: Mr. C. Voisin.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 08-500

A Resolution giving Notice of Intent to adopt an Ordinance to approve the issuance of Certificate of Public Convenience and Necessity to Pitre’s Cab.

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 of Intent is given for adopting an Ordinance to approve the issuance of Certificate of Public Convenience and Necessity to the service of Pitre’s Cab; and,

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, December 17, 2008 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 08-501

A Resolution giving Notice of Intent to adopt an Ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, gas, and rights-of-way for Rebecca Plantation and to incorporate “WEATHERFORD DRIVE” and “REBECCAS POND ROAD” 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, on behalf of the Terrebonne Parish Consolidated Government, that Notice of Intent is given for adopting an ordinance to dedicate and accept the maintenance/operation of the street(s), drainage servitudes, gas, and rights-of-way for Rebecca Plantation and to incorporate “WEATHERFORD DRIVE” and “REBECCAS POND ROAD” into the Enhanced 911 Emergency Response System for the purpose of providing a better means of locating addresses.

BE IT FURTHER RESOLVED that a public hearing on said ordinance be called for Wednesday, December 17, 2008.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

In response to questioning, Interim Parish Manager Patrick Gordon stated that the aforementioned subdivision is in compliance with Parish regulations and that the Parish Engineering Department has inspected the roadways.

OFFERED BY: Mr. A. Tillman.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-502

A RESOLUTION GIVING NOTICE OF INTENT TO ADOPT AN ORDINANCE TO AMEND THE ZONING MAP OF THE PARISH OF TERREBONNE SO AS TO REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-2 (TWO-FAMILY RESIDENTIAL DISTRICT, LOW-DENSITY), LOTS 18 & 19, SQUARE 5, BARROWTOWN, 2612 & 2614 MADGE STREET; JUDY H. CARTER, APPLICANT; AND CALLING A PUBLIC HEARING ON SAID MATTER FOR WEDNESDAY, JANUARY 14, 2009 AT 6:30 P.M.

BE IT RESOLVED by the Terrebonne Parish Council (Community Development and Planning Committee), that notice be hereby given to adopt an ordinance to amend the Zoning Map of the Parish of Terrebonne so as to rezone from R-1 (Single-Family Residential District) to R-2 (Two-Family Residential District, Low-Density), Lots 18 & 19, Square 5, Barrowtown, 2612 & 2614 Madge Street; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be called on said matter for Wednesday, January 14, 2009 at 6:30 p.m.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

Upon questioning, Interim Parish Manager Patrick Gordon stated that the aforementioned ordinance calls a public hearing on the matter and noted that the Houma-Terrebonne Regional Planning Commission recommended denial of the rezoning application.

Ms. A. Williams moved, seconded by Mr. H. Lapeyre, "THAT, the Community Development & Planning Committee grant an extension for waiving hurricane damage related building permit fees." (**MOTION AMENDED AFTER DISCUSSION)

Council Clerk Paul Labat noted that the Council previously enacted a waiver period for hurricane related building permit fees and that the waiver period is expected to expire in December. Mr. Labat suggested that if an extension is granted, a time period be established for the waiver of hurricane related building permit fees.

Ms. A. Williams offered an *amendment*, seconded by Mr. H. Lapeyre, "THAT, the Community Development & Planning Committee extend the waiver period for hurricane damage related building permit fees for 60-days." (**SECOND AMENDED MOTION OFFERED AND ADOPTED)

Interim Parish Manager Patrick Gordon stated that applications for hurricane related building permits have increased from approximately 20 permits a day to occasionally over 100 permits per day due to owners beginning to receive insurance payments. He noted that the waiver period enacted after Hurricane Rita was extended for a longer period and requested that the extension period does not extend for a lengthy period.

Ms. A. Williams offered a *second amendment*, seconded by Mr. H. Lapeyre, "THAT, the Community Development & Planning Committee extend the waiver period for hurricane damage related building permit fees for 90-days."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the *second amended* motion adopted.

Ms. A. Williams moved, seconded by Mr. B. Hebert, "THAT, there being no further business to come before the Community Development & Planning Committee, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

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

Joey Cehan, Chairman

Suzette Thomas Minute Clerk

Mr. J. Cehan moved, seconded by Mr. B. Hebert, "THAT, the Council accept and ratify the minutes of the Community Development & Planning Committee meeting held on 12/1/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman and T. Cavalier

The Chairman declared the motion adopted.

The Chairman called for a report on the Budget & Finance Committee meeting held on 12/1/08, whereupon the Committee Chairman, noting that ratification of the minutes calls public hearings on 12/17/08, rendered the following:

BUDGET & FINANCE COMMITTEE

DECEMBER 1, 2008

The Chairman, Billy Hebert, called the Budget & Finance Committee meeting to order at 6:17 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by J. Pizzolatto and the Pledge of Allegiance led by J. Cehan. Upon roll call, Committee Members recorded as present were: T. Cavalier, J. Cehan, B. Hebert, P. Lambert, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams. A quorum was declared present.

Mr. J. Cehan moved, seconded by Ms. A. Williams, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2008 Adopted Budget to make necessary adjustments for the following items:

- 1) LIHEAP Program
- 2) Lashbrook P/S Bulkhead (NRCS)
- 3) Community Readiness Initiative

and call a public hearing on said matter on Wednesday, December 17, 2008 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Mr. P. Lambert.

SECONDED BY: Mr. J. Cehan.

RESOLUTION NO. 08-503

A Resolution to reject all bids for Bid #08-1/9-33 Purchase One New Unused Track Mounted Excavator for the Drainage Department and re-bid at a later date.

WHEREAS, on September 30, 2008, bids were received by the Terrebonne Parish Consolidated Government for Bid #08-1/9-33 Purchase One New Unused Track Mounted Excavator for the Drainage Department, and

WHEREAS, it has been determined that all bids be must be rejected for just cause, and

WHEREAS, the Parish Administration concurs with the recommendation that all bids be rejected for just cause and re-bid at a later date, and

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

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 all the bids Bid #08-1/9-33 Purchase One New Unused Track Mounted Excavator for the Drainage Department be rejected and Re-bid at a later date.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

Ms. A. Williams moved, seconded by Mr. A. Tillman, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2008 Adopted Budget to recognize funding for three police grants:

- 1) Louisiana Commission on Law Enforcement (Task Force Grant)
- 2) Louisiana Highway Safety Commission (Year Long Grant)
- 3) Department of Justice, Office of Justice Programs (JAG Grant)

and call a public hearing on said matter on Wednesday, December 17, 2008 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

OFFERED BY: Ms. A. Williams.

SECONDED BY: Mr. H. Lapeyre.

RESOLUTION NO. 08-504

WHEREAS, sealed quotations were obtained by the Terrebonne Parish Consolidated Government for the purpose of performing all work (labor, materials and equipment) necessary for and incidental to the demolition and removal of three (3) abandoned structures for the Utilities Department, and

WHEREAS, after careful review by Tom Bourg, Utilities Director, it has been determined that the total price of Thirty-nine Thousand, Three Hundred Seventy-five Dollars (\$39,375.00) from Andrew Baudoin Building Contractors for the above referenced demolition services should be accepted per the attached documents, and

WHEREAS, the Parish Finance Department has verified that funds are available in the 2008 Account Number 303-807-8912-01 for the aforementioned referenced demolition services, and

WHEREAS, the Parish Administration has recommended the acceptance of the price for the aforementioned demolition services at a total cost of Thirty-nine Thousand, Three Hundred Seventy-five Dollars (\$39,375.00) as per the attached documents.

NOW, THEREFORE BE IT RESOLVED by the Terrebonne Parish Council (Budget & Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration be approved and that the quotation for the aforementioned demolition services be accepted as per the attached forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

OFFERED BY: Mr. J. Cehan.

SECONDED BY: Ms. A. Williams.

RESOLUTION NO. 08-505

WHEREAS, on November 7, 2008 bids were received by the Terrebonne Parish Consolidated Government for Bid No. 08-S/P-32 (Re-Bid) Surplus Sale of Vehicles and Heavy Equipment, and

WHEREAS, after careful review by Parish Administration it has been determined that the highest bids received for items over Five Thousand Dollars (\$5,000.00) in value are those of Dixie Surplus Machinery Inc. for items #21, #27, & #32 in the amount of Seventeen Thousand One Hundred Thirty Four Dollars and Zero Cents (\$17,134.00) and that the bids should be accepted as per attached bid forms, and

WHEREAS, the Parish Administration has recommended the acceptance of the aforementioned bids for Bid No. 08-S/P-32 (Re-Bid) Surplus Sale of Vehicles and Heavy Equipment, for a total

amount of Seventeen Thousand One Hundred Thirty Four Dollars and Zero Cents (\$17,134.00) as described in attached hereto and made a part hereof.

NOW, THEREFORE BE IT RESOLVED by Terrebonne Parish Council (Budget and Finance Committee), on behalf of the Terrebonne Parish Consolidated Government, that the recommendation of the Parish Administration is approved and the bids of Dixie Surplus Machinery Inc. are accepted as per attached bid forms.

THERE WAS RECORDED:

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

NAYS: None.

ABSTAINING: None.

ABSENT: None.

The Chairman declared the resolution adopted on this, the 1st day of December, 2008.

* * * * *

Ms. A. Williams moved, seconded by Mr. P. Lambert, "THAT, the Budget & Finance Committee introduce an ordinance to amend the 2008 Adopted Budget to make necessary adjustments pursuant to LA R. S. 39:1311, which states that if total revenue fails to meet and expenditures exceed their respective budgets by 5% or more, a budget adjustment is necessary for the following:

- 1) Dedicated Emergency Fund
- 2) Road Lighting District No. 6
- 3) Road Lighting District No. 7
- 4) Road Lighting District No. 9

and call a public hearing on said matter on December 17, 2008 at 6:30 p.m."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Chief Finance Officer Jamie Elfert began a recap of the proposed 2009 Budget noting changes made by Administration and requests from the Council and recommended that each change be voted upon separately. Ms. Elfert noted the removal of a fund allocation of \$3,133.00 for membership dues for the National League of Cities as requested during the budget hearings.

Committee Member J. Pizzolatto questioned the membership benefits of the National League of Cities.

Both Mrs. Elfert and Council Clerk Paul Labat affirmed that they did not know of any direct membership benefits derived from the National League of Cities.

Council Member A. Tillman noted the benefits of networking with the National League of Cities members.

For clarification, Committee Member A. Williams noted that the National League of Cities membership dues amount to \$3,133.00 not the \$35,000.00 that encompasses all membership dues.

Ms. T. Cavalier moved, seconded by Mr. C. Voisin, "THAT, the Budget & Finance Committee amend the proposed 2009 Budget to remove the fund allocation of \$3,133.00 for the National League of Cities membership dues."

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

UPON ROLL CALL THERE WAS RECORDED:

YEAS: T. Cavalier, B. Hebert, P. Lambert, H. Lapeyre, C. Voisin, and A. Williams.

NAYS: J. Cehan, J. Pizzolatto, and A. Tillman.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, "THAT, the Budget & Finance Committee concur with the recommendation of Administration to amend the proposed 2009 Budget to set-up a transfer of funds from the General Fund to the Dedicated Emergency Fund to replenish said fund as a result of hurricane recovery efforts."

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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. C. Voisin moved, seconded by Mr. J. Cehan and Mr. P. Lambert, "THAT, the Budget & Finance Committee amend the proposed 2009 Budget to reduce the capital expenditure for the Waterlife Museum from \$20,000.00 to \$8,000.00." (**SUBSTITUTE MOTION OFFERED AFTER DISCUSSION)

In response to questioning, Comptroller Donald Picou stated that the kitchen renovations at the Waterlife Museum entail renovation of the kitchen floor at the museum and that Government Buildings Manager David Drury was contacted regarding the renovation expenditure reduction.

Interim Parish Manager Patrick Gordon explained that the kitchen floor renovation entails removing the hard wood floor and staining and etching the concrete floor foundation.

Upon questioning, Chief Finance Officer Jamie Elfert stated that the renovation project does not have to be let for bid; however, Administration would receive quotes on the proposed floor renovations.

Committee Member A. Williams offered, for clarification, that, in speaking with Main Street Manager Anne Picou, the kitchen floor renovation includes additional flooring work in a portion of the main facility.

Mr. Picou added that, although the project is listed as a "kitchen floor renovation", the project encompasses some of the area in the main facility.

Upon additional questioning, Mr. Gordon suggested that action be deferred until Wednesday's Council meeting so that Mrs. Picou may be present to answer questions.

Mr. J. Pizzolatto offered a *substitute* motion, seconded by Ms. T. Cavalier, "THAT, the Budget & Finance Committee defer action on the matter relative to amending the proposed 2009 Budget to reduce the capital expenditure for the Waterlife Museum from \$20,000.00 to \$8,000.00 until Wednesday's Council Meeting." (*)SECOND SUBSTITUTE MOTION OFFERED AND ADOPTED AFTER DISCUSSION)

Mr. Gordon suggested that the matter be removed from the proposed 2009 Budget and added that the matter, if warranted, would be resubmitted as a budget amendment in 2009.

***Mr. A. Tillman offered a *second substitute* motion, seconded by Ms. A. Williams, “THAT, the Budget & Finance Committee remove the matter relative to the capital expenditure for kitchen floor renovations at the Waterlife Museum from the proposed 2009 Budget.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the *second substitute* motion adopted.

Mr. A. Tillman moved, seconded by Ms. A. Williams and Ms. T. Cavalier, “THAT, the Budget & Finance Committee concur with the recommendation of Administration to increase the proposed 2009 Capital Area Legal Services budget allocation by \$4,000.00 (from \$20,000.00 to \$24,000.00).”

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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. 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 amend the proposed 2009 Budget to reduce the fund allocation for the Emergency Operations Center (\$1,500,000.00) and the Ashland Pump Station (\$1,460,000.00) due to an alternate use of funds for the removal of silt and debris from roadside ditches and the cleaning of storm drains.”

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, H. Lapeyre, J. Pizzolatto, A. Tillman, and A. Williams.

NAYS: C. Voisin.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. J. Cehan, “THAT, the Budget & Finance Committee amend the proposed 2009 Budget to change the name of the North Terrebonne Sewers Fund to the Highway 24 Sewers and to correct listing the from Council District 1 to Council District No. 2.”

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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Ms. T. Cavalier moved, seconded by Ms. A. Williams, “THAT, the Budget & Finance Committee amend the proposed 2009 Budget to provide funding for contract Case Counselors for the Terrebonne Addictive Disorders Clinic and Mental Health (Funding Source: General Fund).”

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, H. Lapeyre, J. Pizzolatto, A. Tillman, C. Voisin, and A. Williams.

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted.

Chief Finance Officer Jamie Elfert presented changes to the proposed 2009 Office of Homeland Security and Emergency Preparedness Budget noting the following budgetary and personnel changes: 1) Eliminate the Director of Homeland Security and Emergency Preparedness position as a Parish employee, 2) Add an Assistant Emergency Preparedness Director position, 3) Eliminate the Senior Hazardous Material Responder position, 4) Add an Executive Secretary position, and 5) Eliminate the Office Manager position.

Mr. J. Pizzolatto moved, seconded by Mr. J. Cehan, "THAT, the Budget & Finance Committee concur with the recommendation of Administration to amend the proposed 2009 Budget to reflect budgeted position changes and corresponding expenditures for the Office of Homeland Security and Emergency Preparedness."

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, H. Lapeyre, J. Pizzolatto, C. Voisin, and A. Williams.

NAYS: A. Tillman.

ABSENT: None.

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "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. A. Tillman.

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None.

ABSENT: None.

The Chairman declared the motion adopted and the meeting was adjourned at 6:37 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 12/1/08."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: A. Tillman and T. Cavalier

The Chairman declared the motion adopted.

Mr. P. Lambert moved, seconded by Ms. A. Williams, "THAT, the Council approve the following street light list:

ENERGIZE STREET LIGHT @ 4554 NORTH BAYOU BLACK DR. (MR. JAMES HARWELL); SLECA; RLD #8; ARLANDA WILLIAMS.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Ms. A. Williams, “THAT, the Council approve attendance at the following meeting as per the current Council Travel Policy:

- A) Annul Attorney General’s Justices of the Peace and Constables Training Courses, March 4-6, 2009, Marksville, LA.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr. A. Tillman, “THAT, the Council nominate Mr. Jeff Teuton and Mr. Mike Kreller for the one vacancy on the Houma Airport Commission, formerly held by Mr. Leonard Pizzolatto, Sr., that nominations be closed, and that a voice vote of the Council be taken to determine who will fill the vacancy.”

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

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

JEFF TEUTON

C. Voisin
J. Cehan
P. Lambert
A. Williams

MIKE KRELLER

J. Pizzolatto
H. Lapeyre
A. Tillman
B. Hebert

T. Cavalier was recorded as absent.

The Chairman stated as per the aforementioned tie results another voice vote would be taken to see if the tie could be broken.

The Chairman called for another voice vote of the Council, whereupon the following was recorded:

JEFF TEUTON

H. Lapeyre
C. Voisin
J. Cehan
P. Lambert
A. Williams

MIKE KRELLER

J. Pizzolatto
A. Tillman
B. Hebert

T. Cavalier was recorded as absent.

The Chairman stated as per the aforementioned results, Mr. Jeff Teuton is appointed to fill the position on the Houma Airport Commission, recently held by Mr. Leonard Pizzolatto, Sr.

The Chairman recognized Mr. Jeff Teuton, who thanked the Council for the appointment.

The Chairman recognized Mr. Mike Kreller, who stated he would like to be considered when another position on the Houma Airport Commission becomes available.

Ms. A. Williams moved, seconded by Mr. A. Tillman, "THAT, the Council appoint Ms. Karen Moore to the Recreation District No. 1 Board to fill the unexpired term of Ms. Betty Streams, who resigned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. J. Cehan moved, seconded by Mr. A. Tillman and Ms. A. Williams, "THAT, the Council nominate Ms. Vera Pitre (current member), Mr. Barry Soudelier and Mr. Brian LeBlanc for the two vacancies on the Recreation District No. 7 Board, that nominations be closed and that a voice vote of the Council be taken to determine who will fill vacancies."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

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

BARRY SOUDELIER BRIAN LEBLANC

J. Pizzolatto	C. Voisin
H. Lapeyre	J. Cehan
C. Voisin	P. Lambert
J. Cehan	A. Tillman
P. Lambert	A. Williams
A. Tillman	B. Hebert
A. Williams	
B. Hebert	

VERA PITRE

J. Pizzolatto
H. Lapeyre

T. Cavalier was recorded as absent.

The Chairman stated as per the aforementioned results, Mr. Barry Soudelier and Mr. Brian LeBlanc are appointed to the two vacancies on the Recreation District No. 7 Board.

Ms. A. Williams moved, seconded by Mr. H. Lapeyre, "THAT, the Council accept the resignation of Ms. Christine Price for the Terrebonne Parish Women's Commission and that nominations be opened for the vacant position."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

The Chairman recognized Ms. Christine Price, former Women's Commission, who explained the reasoning behind her decision to resign.

Council Chairman C. Voisin stated that he would have a meeting with the parties involved regarding a matter of the Terrebonne Parish Women's Commission.

In regards to agenda item 7A1, Parish Attorney C. Alcock informed Councilman A. Tillman that the property owner on Baker and Friendswood Drive and behind Odelia Street has agreed to sign a drainage servitude agreement and will come by her office to sign.

Councilman A. Tillman instructed the Council Clerk to take this item off of future Council agendas.

Councilman B. Hebert gave a brief update on possible tax advantages for people who did not receive reimbursement/grant opportunities due to hurricane related damage. He stated that a casualty loss could only be taken if you itemize. He encouraged people who have lost a lot of items in their home plus their home to seek a tax expert cause it could mean a savings on their income taxes. He also encouraged anyone who receives a penalty notice from the IRS to contact the number on the notice to abate any interest or late filing penalties that would otherwise apply. He stated that a lot of trees were lost in Terrebonne Parish and possibly can be used as a casualty loss, but the tree may have to be appraised and submitted to a tax preparer to determine a loss.

He stated to speed up a refund the IRS would allow a filer to go back and amend your 2007 tax return to get a speedy refund.

Councilman P. Lambert encouraged residents to explore the possibility of claiming casualty losses, evacuation expenses, refrigerator and freezer losses, generator and fuel purchases, damages to yards, etc. on their income taxes and property taxes to be re-assessed.

Parish President M. Claudet announced that 6.1 billion dollars was allocated for Hurricane Damage this year and Louisiana has already received its first 438 million with two disbursements to be made. He stated that Terrebonne Parish would receive the most funds through CDBG funds. He explained that these funds could be utilized for many infrastructure projects, including non-federal levees. He also announced that FEMA has finally begun reimbursing for hotel stays incurred by victims of Hurricanes Gustav and Ike if you did not receive funds from other sources. He encouraged residents to call electric companies and report burnt street lights out because the lights are paid for whether they are on or off and will help light up the Parish. He also stated that Administration is going to immediately process the contract to the necessary work to shore up Island Road as early as this Friday. He stated that Terrebonne Parish has received in excess of \$600,000 from the state for generators for Terrebonne Parish. President Bush indicated to Governor Jindall that he would make the purchase of generators a 90/10 cost share for Hurricane Gustav. Governor Jindall had requested an additional 14-day extension for Hurricane Ike for categories A and B at 100%, but unfortunately that request will not be honored, but there are still requests to receive a percentage of reimbursement. He reminded everyone there is an election this Saturday, December 6, in District 6 only, and encouraged people to go out and vote.

Councilman H. Lapeyre thanked the current Council for appointing him to fill the seat of Mr. Leland Robichaux, who passed away and encouraged registered voters of District 6 to go out and cast their vote.

Council Members expressed their appreciation to Mr. Lapeyre for honoring their request for him to fill the seat for Council District 6 until an election could be held.

Councilman J. Cehan announced the annual Christmas parade on Friday, December 5, beginning at 6:45 p.m. from Terrebonne High School parking lot traveling down Main Street to the Courthouse Square.

Ms. A. Williams moved, seconded by Mr. J. Cehan, "THAT, the Council concur with the recommendation of Parish Administration to grant Parish Employees the Friday after Christmas Day and after New Year's Day as holidays to concur with the State Government schedule."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. A. Tillman moved, seconded by Mr. J. Cehan, "THAT, the Council convene into Executive Session to discuss the lawsuit: "SUDO Properties, Inc. and Houma Sports Entertainment, LLC. Vs. 04-2559, Section "C" (2) Terrebonne Parish Consolidated Government" and that the Parish Attorney, Parish President and Parish Council be invited in on said session."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. J. Pizzolatto and Mr. P. Lambert, "THAT, the Council convene back to the regular order of business."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Mr. H. Lapeyre moved, seconded by Mr. J. Cehan and Ms. A. Williams, "THAT, the Council concur with the Parish Attorney on the lawsuit "SUDO Properties, Inc. and Houma Sports Entertainment, LLC. Vs. 04-2559, Section "C" (2) Terrebonne Parish Consolidated Government."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

There were no matters to address under agenda item 9C – Parish President.

Mr. A. Tillman, seconded by Mr. P. Lambert, "THAT, the Council accept the following Monthly Engineering Reports:

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

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted.

Ms. A. Williams moved, seconded by Mr., "THAT, there being no further business to come before the Council, the meeting be adjourned."

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

UPON ROLL CALL THERE WAS RECORDED:

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

NAYS: None

ABSENT: T. Cavalier

The Chairman declared the motion adopted and the meeting adjourned at 7:58 p.m.

VENITA H. WHITNEY, MINUTE CLERK

ATTEST:

/S/CLAYTON J. VOISIN
CLAYTON J. VOISIN, CHAIRMAN
TERREBONNE PARISH COUNCIL

/S/PAUL A. LABAT
PAUL A. LABAT, COUNCIL CLERK
TERREBONNE PARISH COUNCIL