

Police Jury Room
June 3, 2002
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on June 3, 2002 with Mr. Edval Simon, Jr. presiding.

The meeting was called to order by Mr. Simon, who asked that the meeting begin with the Pledge of Allegiance.

The following members were present:

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|-----------------------------|----------------------------|
| Mr. Purvis Abshire | Mr. Hubert Faulk |
| Mr. Terry Bessard | Mr. Luther "Buster" Hardee |
| Mr. Ernal "E. J." Broussard | Mr. Louis Joe Hardy |
| Mr. Kenneth DeHart | Mr. Edval Simon, Jr. |
| Mr. Carroll Duhon | Mr. Ritter Trahan |

Absent: Mr. Minos Broussard,
Mr. Pervis "Pee Wee" Meaux,
Mr. Mark Poche,
Mr. T. J. Prejean, Jr.

President Edval Simon, Jr. called for any other bids in the audience to be submitted relative to the bid calls shown on the agenda.

Upon motion of Mr. Ernal "E. J." Broussard, duly seconded by Mr. Terry Bessard, and unanimously carried, the Jury closed the receipt of all bids for tonight's meeting.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Kenneth DeHart, and unanimously carried, the Jury authorized the opening of the following bids:

OFFICIAL JOURNAL AND PRINTER
FOR THE PERIOD OF
JULY 1, 2002 THROUGH JUNE 30, 2003

Abbeville Meridional – First insertion at the rate of \$6.00 per square of 100 words and for all subsequent insertions a rate of \$6.00 per square of 100 words. The circulation per issue of this newspaper is 5460.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury authorized the award of the above bid to Abbeville Meridional.

**MATERIALS FOR PARISH ROAD MAINTENANCE
FOR THE PERIOD OF JULY 1, 2002 – DECEMBER 31, 2002**

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Kenneth DeHart, and unanimously carried, the bids received for the above materials were taken under advisement.

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the reading of the minutes of the May 20, 2002 meeting were dispensed with and were accepted.

President Edval Simon, Jr. read the following announcements:

- (1) The Greater Abbeville-Vermilion Chamber of Commerce's Monthly Membership Meeting will be held on Thursday, June 6, 2002 at 12:00 Noon at the Abbeville Country Club featuring a presentation by Mr. Bob LeBlanc, Director of Vermilion Parish Office of Emergency Preparedness on "Homeland Security".
- (2) Received notification from the Office of Rural Development that funds in the amount of \$50,000 have been approved for the renovations to the Public Works Building No. 4.
- (3) The LSU Cooperative Extension Service will be hosting a conference entitled "Mosquito-borne Diseases in Louisiana" on June 19 at the Cook Center on the LSU campus.

Would like to request authorization be given for Antoinette Derouen, Ricky Faulk & Mike Bertrand to attend.

- (4) Mr. Algie Breaux, Police Juror in Calcasieu Parish and current Louisiana Police Jury Association Executive Board Member-At-Large announces his candidacy for the position of Third Vice President of the Association. Mr. Breaux respectfully requests the Jury's consideration of his candidacy for this position.
- (5) Received a copy of the Hospital Service District No. 2's (d/b/a Abbeville General Hospital) financial audit report for 2001 which will be kept on file.
- (6) The 2002 TV-10 Hurricane Workshop will be on Friday, June 7th, at the Mardi Gras Ball Room at the Cajundome from 9:30 a.m. until 1:30 p.m.

Upon motion of Mr. Purvis Abshire duly seconded by Mr. Hubert Faulk, and unanimously carried, relative to Item No. 3 of the announcements, the Police Jury authorized Mrs. Antoinette Derouen, Mr. Ricky Faulk and Mr. Michael J. Bertrand to attend the conference entitled "Mosquito-borne Diseases in Louisiana" on June 19, 2002.

Upon motion of Mr. Louis Joe Hardy, duly seconded by Mr. Terry Bessard, and unanimously carried, the Police Jury approved payment of the following invoices from Sellers and Associates, Inc.

- (A) Invoice No. 006544
Amount = \$490.00
Administration of
Parish Government Office
Complex – Capital Outlay Funds
- (B) Invoice No. 006528
Amount = \$1,260.00
Subtitle D Groundwater
Monitoring Reports for the
2002 Reporting Period
- (C) Invoice No. 006527
Amount = \$577.50
Letter of No Objections

Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Carroll Duhon, and unanimously carried, relative to the notification recently received from the Office of Rural Development advising the award of a \$50,000 grant for repairs to the Public Works Building No. 4, the Police Jury authorized Mr. C. J. Bertrand to obtain the necessary price quotes/bids for the labor and/or materials required to do the needed repairs up to the grant amount.

Parish Engineer, Mr. Eugene Sellers, advised the Police Jury that the Pecan Island Water System has requested that the boundary be set using the north shore of White Lake for future tax base reasons. Juror Carroll Duhon recommended that this change be brought to the Water Works District No. 1 Board for consideration.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Kenneth DeHart, and unanimously carried, the Police Jury authorized the issuance of a letter of no objection to William Production – Gulf Coast Co., Inc. for the proposed drilling of S.L. 16252 Well #1 in Election District No. 13.

Upon motion of Mr. Hubert Faulk, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury approved the issuance of Permit No. 1211-D to Range Production Co. to construct a drilling site with structures along with a board road with proposed culverts along Fat's Road to serve the Yvonne C. Arceneaux No. 1 Well in Election District No. 2.

Mr. Gene Sellers, Jr. with The Sellers Group, gave an update on all Library construction projects. Delcambre and Kaplan branches are complete. The Abbeville Main Branch is under construction with an expected completion time of 18 months. The Erath Branch is under construction by renovating the building purchased, with an expected completion date at the end of this year. The Maurice Branch construction plans are being worked on currently. Plans should be complete within 1 to 2 months and includes doubling the size of the current branch, includes handicapped accessibility, etc. Bids for this project should be advertised before the end of this year. Regarding the Gueydan Branch, potential property is currently being considered and appraised.

Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Ernal "E. J." Broussard and unanimously carried, relative to the Abbeville Library construction, the Police Jury approved Contract Change Order No. 2, reflecting a net increase of \$28,309.29 and a 6 day time extension. The reason for this increase is due to the unexpected finding of a sunken basement filled with debris on the property which needed to be excavated and backfilled.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Luther "Buster" Hardee, and unanimously carried, the Police Jury approved amended Ordinance 98-O-9 to establish that when a motor vessel comes within 300' of another vessel which is either moving, or moored along the bank, that the vessel(s) will reduce its speed to idle and thereby create no wake to exist:

AMENDMENT TO
ORDINANCE
98-O-9

TO AMEND AND RE-ENACT IN ITS ENTIRETY ORDINANCE 98-O-9 REGULATING THE SPEED OF MOTOR VESSELS NAVIGATING WATERWAYS WITHIN VERMILION PARISH, LOUISIANA AND TO PROVIDE FOR PENALTIES FOR VIOLATION.

ORIGINAL ORDINANCE ADOPTED SEPTEMBER 8, 1998

BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 3rd day of June, 2002, that the following change and addition to Ordinance 98-O-9 be included:

Refer to paragraph 1. Delete entire paragraph and replace with the following:

BE IT ORDAINED by the Police Jury of Vermilion, in regular session convened on this 3rd day of June, 2002, that motor vessels which are navigating any waterway within the Parish of Vermilion shall within 300 feet of meeting or crossing any other vessel, either moving or moored along the bank, reduce its speed to idle position so that no wake shall exist and thereby not pose a hazard to the other vessel.

The following paragraph shall be added as a new paragraph ... 2.

The provisions of this section shall not apply when one vessel attempts to pass another vessel, except at those times when a third vessel is moored along the bank of the channel.

Anyone convicted of a violation of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500) or imprisonment for not more than thirty (30) days, or both.

BE IT FURTHER ORDAINED that any and all ordinances in conflict with this ordinance be, and the same are hereby repealed.

BE IT FURTHER ORDAINED that the various parts of this document are severable, and if any part of this ordinance is found to be unconstitutional then the remainder shall not be invalid.

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Upon motion of Mr. Purvis Abshire, duly seconded by Mr. Terry Bessard, and unanimously carried, the Police Jury approved payment of Invoice No. 20010133 to Pace Analytical in the amount of \$870.00 for testing services provided relative to the Solid Waste Subtitle "D" Monitoring Requirements.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury authorized issuing a letter of commendation to Mr. Larry Richard in recognition of his 30 years of service to Public Health.

Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury approved the payment of the self-insured retention (deductible) payment in the amount of \$323.82 to Laborde & Neuner relative to the Guy Duhon lawsuit.

Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury entered into the following intergovernmental agreement with Gravity Drainage District No. 2 to haul dirt and assist in the installation of 200' of culvert on the Johnny Primeaux property located off of Maggie Drive:

TITLE: A resolution authorizing the Vermilion Parish Police Jury and the Gravity Drainage District No. 2 to enter into an intergovernmental agreement all in accordance with the provisions of La. R.S. 33:1321 et seq.

GENERAL STATEMENT OF CONTRACTUAL AUTHORITY

WHEREAS, the provisions of La. R.S. 33:1321 et seq, dealing with "intergovernmental functions", authorize the police jury of a parish, and any city, town or village, and any special district or political subdivision of the state to agree between and among themselves to engage jointly in the exercise

of any power, and in the construction, acquisition or improvement of any public project or improvement, or the promotion and maintenance of any undertaking when either one of the participants in the agreement is authorized under provision of general or specific law to perform such activity or exercise such power as may be necessary for completion of the undertaking (La. R.S. 33:1324); and

PROJECT

WHEREAS, there is a need to install 200' of culverts in a drainage through the Johnny Primeaux property; and

WHEREAS, the Gravity Drainage District No. 2 does not have all of the necessary equipment to complete the project.

AGREEMENT

NOW, THEREFORE, the Gravity Drainage District No. 2 does;

RESOLVE THAT, they will provide labor and equipment to install the culverts.

NOW, THEREFORE, the Vermilion Parish Police Jury does;

RESOLVE THAT, they will provide trucks and operators to haul the dirt back fill and will assist in the installation.

RESOLVED FURTHER, by both parties that a certified copy of this resolution shall immediately be filed and recorded in the records of the Clerk of Court for the Parish of Vermilion, Louisiana; and upon adoption of this resolution by both parties and recordation of same, it shall constitute the agreement between the Police Jury, the Gravity Drainage District No. 2 and a copy of this resolution shall be published in the official journal of the above said parties concerned.

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Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Luther "Buster" Hardee, and unanimously carried, the Police Jury entered into the following intergovernmental agreement with Isle Marrone Gravity Drainage District No. 1 to improve drainage to a branch of the Isle Pilvey Canal:

Upon motion of Mr. Ernal "E. J." Broussard, duly seconded by Mr. Hubert Faulk, and unanimously carried, the Police Jury ratified the approval of a letter approving the issuance of a temporary alcoholic liquors permit to the North Vermilion Youth Athletic Association who will be sponsoring a parent softball tournament on June 21 - 23, 2002 at which time alcoholic beverages will be sold.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Terry Bessard, and unanimously carried, the Police Jury ratified the Section 5311 Monthly Activity Report for the month of April, 2002 as submitted by the Vermilion Council On Aging and directing the Secretary to submit the report to the Department of Transportation and Development for reimbursement in accordance with the contract agreement.

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved the payment of Invoice dated 5/20/02 to Labyrinth HealthCare Group in the amount of \$1,700.00 for the initial patient care set up fee for the Patient Care program.

Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Terry Bessard, and unanimously carried, the Police Jury approved the issuance of a letter of no objection pending review by the Parish Engineer, to the Abbeville Harbor & Terminal District for the construction of bulkheading, a boat launch ramp and to dredge and fill along the Intracoastal Waterway in Intracoastal City.

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. Hubert Faulk, and unanimously carried, the Police Jury approved a state highway driveway permit installation for Mr. Blaine Stelly on La. Hwy 35.

Upon motion of Mr. Purvis Abshire, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury approved payment of Invoice No. 6203 from Vermilion Store & Lock in the amount of \$135.00 for the storage of commodities for the April, 2002 distributions.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ritter Trahan, and unanimously carried, relative to drainage problems at the intersection of U.S. Hwy 167 and Napoleon Road, the Police Jury directed that a letter be sent to Mr. Bill Fontenot with the Department of Transportation and Development requesting assistance with a drainage survey of that area and/or for assistance in the replacement of any inadequate culverts.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Kenneth DeHart, and unanimously carried, the Police Jury authorized the purchase of a rear mounted mower for Area 1 from Quality Equipment in the amount of \$3,651.12 being the lowest of two (2) quotes received. Cost to be paid from Sub 5 of 2 Road District funds.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Kenneth DeHart, and unanimously carried, the Police Jury authorized the purchase of one spreader box to fit the new International Dump Trucks from Municipal Equipment in the amount of \$1,883.00 being the lowest of two quotes received. Cost to be paid from the RRF equipment allocation.

Mr. Bob LeBlanc advised the Jurors that the Parish Emergency Preparedness Meeting went very well and thanked the Police Jury for hosting it.

Upon motion of Mr. Ernal "E. J." Broussard, duly seconded by Mr. Louis Joe Hardy, and unanimously carried, the Police Jury approved the hiring of Mr. Weston Reed as a part-time spray driver for the mosquito control program.

A motion was made by Mr. Terry Bessard to authorize overtime for Mr. Ricky Faulk with mosquito control program for him to work as a spray driver.

A substitute motion was made by Mr. Ritter Trahan, duly seconded by Mr. Luther "Buster" Hardee, and unanimously carried, to bring the overtime request for Mr. Faulk to the next Public Works Committee meeting.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Louis Joe Hardy, and unanimously carried, the Police Jury entered into the following intergovernmental agreement with Ward One Consolidated Gravity Drainage District No. 1:

TITLE: A resolution authorizing the Vermilion Parish Police Jury and the Ward One Consolidated Gravity Drainage District No. 1 to enter into an intergovernmental agreement all in accordance with the provisions of La. R.S. 33:1321 et seq.

GENERAL STATEMENT OF CONTRACTURAL AUTHORITY

WHEREAS, the provisions of La. R.S. 33:1321 et seq, dealing with “intergovernmental functions”, authorize the police jury of a parish, and any city, town or village, and any special district or political subdivision of the state to agree between and among themselves to engage jointly in the exercise of any power, and in the construction, acquisition or improvement of any public project or improvement, or the promotion and maintenance of any undertaking when either one of the participants in the agreement is authorized under provision of general or specific law to perform such activity or exercise such power as may be necessary for completion of the undertaking (La. R.S. 33:1324); and

PROJECT

WHEREAS, there is a need to haul dirt from Ranch Road to build up Albert Road, in Election District No. 3, and,

WHEREAS, Ward One Consolidated Gravity Drainage District No. 1 does not have the necessary equipment and labor to do the work.

AGREEMENT

NOW, THEREFORE, the Vermilion Parish Police Jury does,

RESOLVE THAT, they will provide the equipment to load and the trucks to haul the necessary dirt.

NOW, THEREFORE, the Ward One Consolidated Gravity Drainage District No. 1, does;

RESOLVE THAT, they will return a similar amount of work at a later date.

RESOLVED FURTHER, by both parties that a certified copy of this resolution shall immediately be filed and recorded in the records of the Clerk of Court for the Parish of Vermilion, Louisiana; and upon adoption of this resolution by both parties and recordation of same, it shall constitute the agreement between the Police Jury and the Ward One Consolidated Gravity Drainage District No. 1 and a copy of this resolution shall be published in the official journal of the above said parties concerned.

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Upon motion of Mr. Ritter Trahan, duly seconded by Mr. Kenneth DeHart and unanimously carried, that there being no further business to be presented, the meeting was duly adjourned.

Secretary-Treasurer

President