

Police Jury Room
December 1, 2003
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on December 1, 2003 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, followed by a moment of silent prayer.

The following members were present:

Mr. Purvis Abshire	Mr. Louis Joe Hardy
Mr. Terry Bessard	Mr. Luther "Buster" Hardee
Mr. Ernal "E. J." Broussard	Mr. Pervis "Pee Wee" Meaux
Mr. Minos Broussard	Mr. Mark Poche'
Mr. Kenneth DeHart	Mr. T. J. Prejean, Jr.
Mr. Carroll Duhon	Mr. Edval Simon, Jr.
Mr. Hubert Faulk	Mr. Ritter Trahan

Absent: None

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. Ritter Trahan, duly seconded by Mr. Luther "Buster" Hardee, and unanimously carried, the Jury closed the receipt of all bids for tonight's meeting.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Ritter Trahan, and unanimously carried, the Jury authorized the opening of the following bids:

Aerial Spray Contract For Period Of 1/1/04 thru 12/31/06

T & M Aviation
\$1,195/Hour for the 1st 75 Hours
Then \$600/Hour For Years 1, 2, & 3

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Kenneth DeHart, and unanimously carried, the above bids were taken under advisement and will be reviewed at the next Public Works Committee Meeting.

Materials For Parish Road Maintenance for Period of 1/1/04 thru 6/30/03

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the above bids were taken under advisement so that a bid tabulation can be presented at the next Public Road Committee Meeting for further consideration and review.

President Edval Simon, Jr. introduced Mr. Randy Moertle to present his business at this time.

Mr. Moertle addressed the Acadiana Gulf of Mexico Access Channel Study. Mr. Moertle advised the Police Jury of the current permit project status. Mr. Moertle requested the Jury to send a follow-up letter to the state and federal agencies restating the Jury's position regarding the project and the parish's concern.

Upon motion of Mr. Kenneth DeHart, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury authorized that the prepared letter provided by Mr. Moertle be sent to all federal and state agencies regarding Vermilion Parish concerns about the AGMAC project.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. T. J. Prejean, Jr. and unanimously carried, the Police Jury amended the agenda to allow those in the audience to present their business at this time.

New elected District 31 State Representative-Elect, Mr. Don Trahan, commented on his desire to represent all of Vermilion Parish.

Next, Senator-Elect, Nick Gautreaux, also thanked everyone and commented on his goals for the parish.

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. Purvis Abshire, and unanimously carried, the reading of the minutes of the November 17, 2003 regular meeting and the November 24, 2003 special meeting, were dispensed with and were accepted.

President Edval Simon, Jr. read the following announcements:

- (1) Received information packet from the Louisiana Department of Wildlife and Fisheries relative to the 2004 abandoned crab trap removal program. There will be a meeting at the LDWF Office in New Iberia on December 2, 2003.
- (2) Received a resolution from the Iberia Parish Council expressing its strong opposition to any negotiations for the Central American Free Trade Agreement (CAFTA) which would remove portions of the tariff system affecting imported sugar, as such negotiations would destroy Louisiana's sugar industry.
- (3) Received the Vermilion Community Health Network, Inc. financial report for the year ended April, 2003.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, regarding announcement No. 2, the Police Jury authorized that a similar resolution be adopted and forwarded to the President of the United States, and our Congressional Delegation.

Upon motion of Mr. Louis Joe Hardy, duly seconded by Mr. Hubert Faulk, and unanimously carried, the Police Jury approved payment of Invoice No. 36-5798 in the amount of \$157.50 to Louisiana Testing & Inspection, Inc. for testing services provided relative to the 2003 Road Improvement Project, New Access Road at Vermilion Parish Landfill.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Ritter Trahan, and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1265 to Conoco Phillips to install and maintain 4,600' of 6" pipeline in the area of Bourque Road in Election District No.14.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Louis Joe Hardy, and unanimously carried, the Police approved the issuance of Seismic Permit #674 to Seismic Exchange, Inc. relative to the Catapult – Phase III Project, subject to receipt of the necessary paperwork.

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. Luther "Buster" Hardee, and unanimously carried, the Police Jury approved the issuance of a "letter of no objection" to Cox Communications to install cable along Mathew Road in Election Districts 10 and 14.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1264-D to Cimarex Energy Company to drill and maintain the Mauboules, et al, #2 well in the West Gueydan area, in Election District No. 14.

Upon motion of Mr. Terry Bessard, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury ratified approval of the Section 5311 Monthly Activity Report for the month of October, 2003, as submitted by the Vermilion Council On Aging, and directed 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. T. J. Prejean, Jr., duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury approved the issuance of an alcohol permit to Marsha F. Stelly to sell low alcohol content beverages at Marsha's Corner Store, located at 19337 W. La. Hwy 82, in the Pecan Island area.

Upon motion of Mr. Mark Poche, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury adopted the 2004 Police Jury Calendar as presented and established the dates of the Police Jury's regular meetings be set as follows: (Note: All meetings are scheduled for 7:00 p.m. on the 1st and 3rd Mondays of each month, except January and as noted)

January 12 and 26; February 2 and 17 (Tuesday); March 1 and 15; April 5 and 19; May 3 and 17; June 7 and 21; July 6 (Tuesday) and 19; August 2 and 16; September 7 (Tuesday) and 20; October 4 and 18; November 2 (Tuesday) and 15; December 6 and 20.

Upon motion of Mr. Hubert Faulk, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury approved the following state highway driveway permit installations:

1. Daniel Guidry - La. Hwy 699
2. Juanita Boudreaux – La. Hwy 343

Upon motion of Mr. Pervis "Pee Wee" Meaux, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury approved payment of Invoice No. 475.3205 in the amount of \$113,923.35 to Library Interiors, Inc. relative to providing new book shelving and furniture for the new Vermilion Parish Library in Abbeville. Cost to be paid from the Library Construction Fund.

The Secretary advised the Jurors that they have been invited to attend the Grand Opening of the New Vermilion Parish Library to be held on December 7, 2003 at 2:00 p.m. in Abbeville.

Upon motion of Mr. Pervis "Pee Wee" Meaux, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury approved payment of the following invoices relative to the Restoration of Storm Damage at the Old Hibernia Bank Building:

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| A) Vaughan Roofing and Sheet Metal, LLC | B) The Sellers Group |
| Invoice No. 511503 - \$3,700.00 | Invoice No. 2503 - \$190.00 |

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Hubert Faulk, and unanimously carried, the Police Jury approved payment of the following invoices relative to the Restoration of Storm Damage Roof at the Vermilion Parish Courthouse Annex:

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| A) Pellerin & Wallace, Inc. | B) The Sellers Group |
| Payment No. 2 - \$860.00 | Invoice No. 2504 - \$90.00 |

The Secretary advised the Jurors of an invitation received to join the Abbeville-Vermilion Chamber of Commerce Board of Directors and their guests at a Christmas Party to be held on Thursday, December 4, 2003 from 5:00 p.m. till 6:30 p.m. in the Foyer of the Courthouse, in conjunction with the annual Christmas Stroll in downtown Abbeville.

Upon motion of Mr. Hubert Faulk, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury approved action to appoint Ms. Linda Duhon to be the Executive Secretary replacing Ms. Sue Duhon who will be leaving. Position to include most of Ms. Duhon's current job responsibilities, as well as the new position. Established the combined position as a Grade 10 – Modified, with a corresponding adjustment in salary for assuming the new position. The combined position workload includes the executive secretary duties, building permits, workers compensation case management, sick leave/vacation/comp time tracking, rabies control bills, library construction fund bills, 15th Judicial District check entry, and revenue receipt charting.

By same action, it is recommended that a job description detailing the above be prepared and kept on file.

In Legal Counsel business, Mr. Paul Moresi, III advised the Jury that the original contracts from Government Acquisitions, Inc. relative to the grant being pursued by the LeBlanc Fire Dept. for a new rescue unit had been received. He will get the President to sign the documents and the administrative office will forward them to Government Acquisitions for further processing.

Relative to the suit filed by the Police Jury for road damages on Pioneer and Leon Roads, Mr. Moresi, advised the Jury that a check had been received from Century Surety Company in the amount of \$7,159.00 on behalf of Provost Farms in settlement of that claim. No further action is necessary.

Mr. Moresi also advised that he had drafted a policy for the Jury to sell adjudicated property. He will forward the draft to the jury secretary for review.

Mr. Moresi proposed that the Jury adopt an amendment to current ambulance operating ordinance which would state that by applying for and receiving a permit to operate, the ambulance company agrees to recognize and abide by all the requirements of the ordinance.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ernal "E. J." Broussard, and unanimously carried, the Police Jury approved amending the current Ambulance Ordinance to include the following paragraphs:

AN AMENDMENT (NO. 1) TO THE VERMILION PARISH
ORDINANCE (2001-O-15) REGULATING AND LICENSING
OWNERS, OR OPERATORS AND DRIVERS OF
PRIVATELY OWNED AMBULANCE SERVICES

ORIGINAL ORDINANCE – SEPTEMBER 4, 2001

BE IT ORDAINED, by the Vermilion Parish Police Jury in legal and regular session convened on the 1st day of December, 2003, that the Ordinance be amended to include the following paragraph:

Add the following section in its entirety:

XVI. APPLICANT ACKNOWLEDGEMENT AND CONSENT

The application for a permit to operate a private ambulance service and/or the granting of said permit pursuant to this ordinance (or any other ordinance or provision of law) constitutes a conventional obligation between the applicant/permittee and the Vermilion Parish Police Jury. Applicant/permittee agrees to abide by all the provisions of this ordinance, including all of the penalty provisions. The applicant/permittee acknowledges that its consent to be bound by the terms of this ordinance will be relied upon by the Vermilion Parish Police Jury in consideration of its application for a permit, and that a permit would not be granted without said consent.

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Mr. Moresi advised the Jury that he had been requested by Architect Gene Sellers, Jr. to review the new state regulations concerning building codes. Based on his review of the statutes, he recommended that since the Police Jury had not adopted an ordinance establishing a designated building code to be followed, that no further action be taken at this time.

Upon motion of Mr. Ernal "E. J." Broussard, duly seconded by Mr. Louis Joe Hardy, and unanimously carried, the Police Jury went into executive session at 7:41 p.m. to discuss the following litigation or pending litigation:

- A) VPPJ vs. Hartec
- B) Bessard vs. City of Abbeville, et al
- C) Roy Abbott accident with one of parish motor graders
– Letter of Demand from insurance carrier

Upon motion of Mr. Ritter Trahan, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury returned to regular session at 7:50 p.m.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury authorized the legal counsel to try to negotiate a settlement with the insurance company relative to the damage claim paid by them on behalf of Mr. Roy Abbott.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Hubert Faulk, and unanimously carried, the Police Jury authorized the legal counsel to accept the settlement offer made by the attorney representing HARTEC.

Upon motion of Mr. Terry Bessard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved a pauper funeral allocation, made payable to Raphael Funeral Home, on behalf of Ms. Barbara Bessard.

Upon motion of Mr. Luther "Buster" Hardee, duly seconded by Mr. Mark Poche, and unanimously carried, the Police Jury accepted into the parish road system, a 165' extension of Lege Road, subject to the paperwork being in order.

Road Supervisor, C. J. Bertrand advised the Jurors that Material Resources has scheduled December 10, 2003, as the date they will provide the new cold mix design material to do a test section on Edier Road. He will advise the jurors of the exact time and location.

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

Secretary-Treasurer

President