

Police Jury Room
October 4, 2004
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on October 4, 2004, with President Hubert J. Faulk presiding.

The meeting was called to order by Mr. Faulk, who asked that Juror Mark Poche', lead the group in the Pledge of Allegiance. Following the pledge, the President asked for a moment of silent prayer or reflection.

The following members were present:

Mr. Purvis Abshire	Mr. Gaulman Gaspard
Mr. Ernal "E. J." Broussard	Mr. Luther "Buster" Hardee, III
Mr. Minos Broussard	Mr. Ravis Menard
Mr. Maxwell Chreene	Mr. Mark Poche'
Mr. Ronald Darby	Mr. T. J. Prejean, Jr.
Mr. Carroll Duhon	Mr. Edval Simon, Jr.
Mr. Hubert Faulk	Mr. Wayne Touchet

Absent: None:

President Faulk adjusted the agenda to allow District Judge Jimmy Genovese to speak due to another commitment he had to attend. Judge Genovese informed the Jury that he is one of the two candidates remaining in the November 2, 2004 Election to fill the 3rd Circuit Court of Appeals seat. He said this was a very important election and requested the Jury's support.

The President recognized those persons who had requested time, or were asked to be on the agenda, to present their business at this time.

Mr. Ray Landry, Administrator of Hospital District No. 2, introduced Hospital Service District No. 2 Board Members, Donald Primeaux, Robert Leblanc, Jimmy Segura, Johnny Boudreaux, Dr. Corbett LeBouef, and administrative staff members, Ms. Susan Landry, and Troy Hair, who were in attendance at the meeting. Mr. Landry made a power point presentation to the Jury on the Hospital's operations.

The President announced that the next item on the agenda was for the Vermilion Parish Police Jury, acting as the Parish Board of Review, to hear any protests dealing with the 2004 assessment values established by the Assessor's Office.

The President asked if there was any one from K. E. Andrews & Co., or Affiliated Tax Consultants, both of whom are representing numerous oil & gas companies, in attendance to present their reasons for the assessment protests or complaints which were filed with the administrative office regarding the valuation of those properties established by the assessor, for the 2004 Tax Roll. No one was present to speak on their behalf.

The President then called on Vermilion Parish Assessor Mike Langlinais. Mr. Langlinais introduced his staff members, Ms. Nancy Simmons and Ms. Kathy Broussard who were in attendance. He advised that he was available to respond to the protests filed. Mr. Langlinais then gave a report of the assessment values established for 2004. He informed the Jury that the Louisiana Tax Commission has reduced the rates used to determine the amount of assessed value for the oil and gas companies, which is costing funds for the taxing bodies.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Mark Poche', and unanimously carried, the Police Jury rejected the protests filed by K. E. Andrews & Co. and Affiliated Tax Consultants on behalf of their clients.

Upon motion of Mr. Mark Poche', duly seconded by Mr. Ronald Darby, and unanimously carried, the Jury accepted the following assessment valuations for the 2004 Tax Year as submitted by Assessor Michael Langlinais:

	<u>2004 Values</u>	<u>2003 Values</u>
1. Real Property	\$136,068,270	\$116,049,240
2. Personal Property	\$110,095,440	\$108,628,740
TOTAL	\$246,163,710	\$224,677,980

Dr. Sanford Laborde, with the Veterans of Foreign Wars, suggested that the old Abbeville Library building be maintained in honor of the Vermilion Parish Veterans and that the Jury consider naming it the Vermilion Parish Veterans Memorial Building.

Upon motion of Mr. Mark Poche', duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury approved the naming of the old Abbeville Library as the Vermilion Parish Veterans Memorial Building.

Dr. Laborde also presented information on what the Veterans consider as objectionable with regards to one of the flags located at the Cultural Center. Before the Cultural Center is relocated to the old Abbeville Library building, the Veterans wanted to make the Jury aware of the situation. President Faulk ended the discussion stating the building would soon be leased to the City of Abbeville and the city would be responsible for any exhibits put in the building.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury authorized its legal counsel, Paul Moresi, III, to prepare a lease agreement with the City of Abbeville, which would lease the Old Abbeville Library (now the Vermilion Parish Veteran's Memorial Building), to the City, and would include, at a minimum, the conditions agreed upon between President Faulk and Mayor Piazza in their negotiations.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Ronald Darby, and unanimously carried, the reading of the minutes of the September 20, 2004 meeting, were dispensed with and were accepted.

President Faulk read the following announcements:

- (1) Received correspondence from Mr. Jackie Johnson, Police Juror from Franklin Parish, advising that he will be seeking a Board-Member at large position with the Louisiana Police Jury Association, and requesting the Jury's support.
- (2) The Joint Legislative Committee on Transportation, Highways, and Public Works will host a Public Hearing to be held at the Clifton Chenier Center, Building C, Lafayette, LA on Thursday, October 28, 2004, at 3:00 p.m. to review the 2005 District 03 Highway Plan.
- (3) The Parishes Against Coastal Erosion (P.A.C.E.) organization, will hold their next meeting in Lafayette, LA, on October 22, 2004, at the Lafayette Hilton & Towers, beginning at noon.
- (4) An article regarding saving Louisiana's coast appeared in the September/October, Slemco Magazine.

Mr. Gene Sellers, with Sellers and Associates, Inc., presented a list of Project Permits for the Police Jury's consideration.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved the issuance of the following project permits:

- (A) Project Permit No. 1302-D to Petrogulf Corporation to construct a drill site and necessary site structure for the James R. Leleux Sr. et al No. 1 Well, off of Sweetbay Road, located in Election District No.09.
- (B) Project Permit No. 1303-D to Meridian Resources & Exploration to construct a drill site and necessary site structure for the Ferdinand Boudreaux No. 1 Well, off of Oliver Road, located in Election District No. 14.

- (C) Project Permit No. 1304-D to Petro-Hunt, LLC, to construct a drill site and necessary site structures for the Jo Ann Gray No. 1 Well, off of Gerald Road, located in Election District No. 02.
- (D) Project Permit No. 1305-D to Mission Resources Corporation to extend the existing drill pad of the LeBlanc No. 001 Well to drill the LeBlanc No. 002 Well, off of La. Hwy. 92, located in Election District No. 02.
- (E) Project Permit No. 1306-D to Mission Resources Corporation to construct a drill site and necessary site structures for the LeBlanc Well No. 1-D ALT., off of Gordon Road, located in Election District No. 02.
- (F) Project Permit No. 1307 to St. Mary Energy Corporation to install 2,696 feet of 4" pipeline to serve the Dana Lutgring Bradley, et al, No. 1 Well, off of La. Hwy. 82 near La. Hwy. 333, located in Election District No. 09.
- (G) Project Permit No. 1308-D to Republic Resources, LLC, to construct a drill site and necessary site structures for the Marion L. Sinegar Well., off of Coulee Kinney Road, located in Election District No. 11.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury amended Item No. 16 of the Public Road Recommendations, to reflect the street name to be Martin Luther King Jr. Street, instead of S. Miles Street.

A motion was introduced by Mr. T. J. Prejean, Jr., duly seconded by Mr. Wayne Touchet, that the Police Jury amend Item No. 15 of the Public Road Committee Recommendations, to allow Mr. Ronald Guidry to return to work with limited duty restrictions. A roll call vote on the motion was taken as follows: For: Minos Broussard, Wayne Touchet, Ernal "E.J." Broussard, Maxwell Chreene, Ravis Menard, Purvis Abshire, and T. J. Prejean, Jr. Against: Ronald Darby, Mark Poche', Edval Simon, Jr., Gaulman Gaspard, and Luther "Buster" Hardee III. Abstaining: Carroll Duhon. The motion as presented passed by the following vote. For (7), Against (5), Abstaining (1).

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury amended the Public Road Committee Recommendations to refer Item No. 10 back to the committee for further discussion.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury amended Item No. 14 of the Public Road Committee Recommendations, to include the action taken earlier, authorizing the legal counsel to prepare an agreement to lease the old Abbeville Library to the City of Abbeville.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury amended the Public Road Committee Recommendations to authorize the transfer of Mr. James Avert Guidry from the Area 2 Road Crew to the Asphalt Crew effective, October 5, 2004.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury amended the Public Road Committee Recommendations to authorize the Road Supervisor to interview, and if appropriate, to hire Mr. Harry Trahan to fill an open CDL Driver/operator position on the asphalt crew.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the Public Road Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations:

PUBLIC ROAD COMMITTEE
SEPTEMBER 29, 2004
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC ROAD COMMITTEE MEETING HELD ON SEPTEMBER 29, 2004, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury advise the Department of Natural Resources, Corps of Engineers, Coast Guard, and Prairie Gregg Drainage District of the conflict that exists in the area of the Hebert Boat Ramp.
2. It is recommended that Sellers & Associates, Inc. update the Police Jury on the odor control options available at the Solid Waste Plant, particularly along the south property line.
3. It is recommended that the Police Jury give "Preliminary Approval" to the subdivision development identified as Beau Soleil - Phase 1, and that the comments provided by the parish engineer be addressed by the developer prior to final approval consideration.
4. It is recommended that the following invoices from Sellers & Associates, Inc. be approved to be paid:
 - A) Invoice No. 007974 - \$4,835.75
Repairs to water control structures in the Schooner Bayou Area.
Design, surveys, plans and specifications, solicitation of quotes, and construction administration

B) Invoice No. 007975 - \$1,950.00
Repairs to water control structures in the Schooner Bayou Area.
Prepare and administer DNR/COE Permit

C) Invoice No. 007967 - \$105.00
Eaton Park Subdivision Drainage Improvements.
Revisions to the cost estimate and the rural development application

5. It is recommended that Unit 412 (Motorola 2-Way Radio) be transferred from the Public Works Administrative Inventory to the Mosquito Control Inventory. Radio was placed in Unit MCI-10 (pickup truck).
6. It is recommended that the Police Jury look into leasing an excavator for use at the Solid Waste Plant.
7. It is recommended that the culvert cleaner be authorized to go to the solid waste plant to clean out the sewer pump station wet well.

It is further recommended, that if needed, that the solid waste supervisor contacts one of the parish fire departments to provide a high pressure water supply to assist in removing the silt in the wet well.

8. It is recommended that the ordinance establishing a 15 mph speed limit on Natasha Street be amended to reset the speed limit to 20 mph.
9. It is recommended that all future committee meetings begin at 5:30 p.m.
10. It is recommended that employees, who have been on workers ' compensation for thirty (30) days, or more, not be allowed to return to work unless fully released by their doctor.

It is further recommended that before an employee can return to work, the Police Jury, or appropriate committee, must approve his return to full work status.

11. It is recommended that Sellers & Associates, Inc. be authorized to prepare a bridge rating report on bridge structure No. 200260 located on Big Four Road, in order to meet DOTD requirements.
12. It is recommended that the Police Jury look into obtaining a water quality report on the new well drilled at the new Area 2 barn, and if necessary, that a full water quality scan be performed.

13. It is recommended that the Police Jury continue to participate in the Nursing Home Interagency Transfer Program, and that President Hubert J. Faulk be authorized to sign the new Cooperative Endeavor Agreement with the Department of Health and Hospitals, and all other documents relative to the program.
14. It is recommended the Police Jury assume the handling of the negotiations with the City of Abbeville regarding the use of the Old Abbeville Library Building.

It is further recommended that the President be authorized to negotiate an agreement with the City of Abbeville and submit the conditions to the Police Jury for approval.

15. It is recommended that Ronald Guidry be reinstated to the Area 2 Road Foreman position, subject to his doctor's release allowing for full duty activities.

It is further recommended that James Avert Guidry be reinstated to a truck driver position (Gr. 8) in the Area 2 road crew, if Ronald Guidry returns to full time status.

16. It is recommended that the Police Jury enter into an intergovernmental agreement with the City of Abbeville to remove the existing aggregate shoulder between the road edge and sidewalk on S. Miles Street and replace with asphaltic concrete. The City of Abbeville will provide equipment and labor to excavate the aggregate material. The Police Jury will provide labor, equipment and pay the cost of the asphaltic concrete to fill in the shoulder area. Cost to be paid from Sub 1 of 2 (ED#4) Road District Funds.
17. It is recommended that Gary Guidry be designated to sign any requisitions, or purchase orders when Vernice Lavergne (shop foreman) is on sick leave or vacation.
18. It is recommended that the Police Jury adopt the Annual Compliance Resolution relative to the Off-System Bridge Replacement Program.
19. It is recommended that the Police Jury name Secretary/Treasurer, Michael J. Bertrand, as an alternate appointment to Juror Mark Poche' on the Acadiana Criminalistics Laboratory Commission.

It is further recommended that in the event neither of the appointees can attend a meeting, that any other juror be authorized to represent the Police Jury.

It is further recommended that the Police Jury go on record in support of any effort to establish a one mill property tax proposition in the 8 parish commission district to fund the operations of the Criminalistics Laboratory.

20. It is recommended that the following payments relative to the FY'03 LCDBG-Water System Improvements-Forked Island-Area VIII Project be approved to be paid:

- A) Jan's Construction Co. Inc.
Partial Payment Estimate No. 3
Amount Due - \$38,978.94

 - B) Sellers & Associates, Inc.
 - I) Invoice No. 007949 - \$1,616.98
Base Services During Construction

 - II) Invoice No. 007950 - \$590.89
Construction Staking

 - III) Invoice No. 007951 - \$3,269.19
Inspection
21. It is recommended that the Police Jury enter into an intergovernmental agreement with the Isle Marrone Gravity Drainage District No. 1 to remove an accumulation of water lilies, and etc. that is impeding appropriate drainage at a bridge site on Gualman Road. The Police Jury will provide equipment and labor to remove the obstruction.
22. It is recommended that the Police Jury approve payment of the following invoices from Sellers & Associates, Inc. relative to the Dredging of Oilfield Canal off of the Oaks Canal Project. Costs to be reimbursed through the Capital Outlay Grant:
- A) Invoice No. 007956 - \$5,889.00
Topographic Surveys

 - B) Invoice No. 007957 - \$4,066.00
Preparation of DNR/COE Permit

 - C) Invoice No. 007958 - \$2,572.50
Study and report phase and preliminary design phase
23. It is recommended the Police Jury approve payment of the following invoices from Sellers & Associates, Inc. relative to the Flood Protection in the Erath/Bayou Tigre Area Project. Cost to be reimbursed through the Capital Outlay Grant:
- A) Invoice No. 007959 - \$2,572.50
Basic Engineering Services- Phase I
Study and Report Phase; Preliminary Design Phase

 - B) Invoice No. 007960 - \$1,692.77
Basic Engineering Services-Phase II
Study and Report Phase

C) Invoice No. 007961 - \$4,028.25
Topographic Surveys - Phase I

D) Invoice No. 007962 - \$3,339.25
Topographic Surveys – Phase II

24. It is recommended the Ms. Lori Winch be reappointed to the Hospital Service District No. 1 Board of Commissioners effective with the end of her current term, which expires on October 15, 2004.

Respectfully submitted,
Luther "Buster" Hardee III,
Chairman

In accordance with the Public Road Committee Recommendations, the following ordinance was adopted:

ORDINANCE

2004-O-29

WHEREAS, there currently exists a 15 mph speed limit on Natasha Street for its entire length; and

WHEREAS, the Vermilion Parish Police Jury believes that it is necessary to adjust the designated speed limit on this road to 25 mph.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby rescind any previous speed limit ordinance for Natasha Street and does hereby impose a 25 mph speed limit on Natasha Street for its entire length; and

SECTION II: BE IT HEREBY FURTHER ORDAINED, that the appropriate speed limit signs be installed in said area.

SECTION III: BE IT HEREBY FURTHER ORDAINED, that for a first offense, a maximum penalty of a \$100.00 fine and/or a 10 day jail sentence be imposed at the discretion of the court for the first offense.

BE IT HEREBY FURTHER ORDAINED, that for a second offense, a maximum penalty of a \$250.00 fine and/or a 10 day jail sentence be imposed at the discretion of the court.

BE IT HEREBY FURTHER ORDAINED, that for a third offense, a maximum penalty of a \$500.00 fine and/or a 10 day jail sentence be imposed at the discretion of the court.

SECTION IV: BE IT HEREBY FURTHER ORDAINED, that the Vermilion Parish Sheriff's Department be and is hereby requested and/or directed to enforce the speed limit by the use of radar and/or regular patrolling.

In accordance with the Public Road Committee Recommendations, the following Resolution was adopted:

RESOLUTION

2004-R-16

ANNUAL CERTIFICATION OF COMPLIANCE WITH STATE OF LOUISIANA OFF SYSTEM BRIDGE REPLACEMENT PROGRAM

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, the responsibility to inspect, rate and load post those bridges under the authority of Vermilion Parish in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Vermilion Parish.

THEREFORE BE IT RESOLVED by the governing authority of Vermilion Parish (herein referred to as the Parish) that the Parish, in meeting duly assembled, does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for the period 1 October, 2003 through 30 September, 2004:

1. The Parish has performed all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. All bridges owned or maintained by the Parish have been structurally analyzed and rated by the Parish as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of

Bridges. The load posting information that has been determined by the LA DOTD for all bridges where the maximum legal load under Louisiana State law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.

3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.
4. All bridges owned or maintained by the Parish are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the Parish by the LA DOTD are noted.

These stipulations are prerequisites to participation by the Parish in the Off-System Bridge Replacement Program.

This resolution was considered section by section and as a whole and upon motion of Mr. Luther "Buster" Hardee III, duly seconded by Mr. T. J. Prejean, Jr., was adopted by the following vote on this the 4th day of October, 2004.

YEAS: Mr. Purvis Abshire, Mr. Ernal "E. J." Broussard,
Mr. Minos Broussard, Mr. Maxwell Chreene,
Mr. Ronald Darby, Mr. Carrell Duhon, Mr. Hubert Faulk,
Mr. Gaulman Gasppard, Mr. Luther "Buster" Hardee III,
Mr. Ravis Menard, Mr. Mark Poche', Mr. T. J. Prejean, Jr.,
Mr. Edval J. Simon, Jr., and Mr. Wayne Touchet.

NAYS: None

ABSENT AND/OR NOT VOTING: None

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Mr. Mark Piazza, Mayor of the City of Abbeville, thanked the Jury on behalf of the City, the Cultural Center, the Historical Society, and the Arts Council for the Jury's efforts in working towards the leasing of the old Abbeville Library building to the City.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the Section 5311 Monthly Report for the month of July, 2004, 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. Luther "Buster" Hardee, III, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury ratified the issuance of a "Letter Of No Objection" for a temporary liquor permit for the North Vermilion High School Athletic Club to host their 1st Annual Vermilion Parish Cajun Cook-Off, to be held on October 17, 2004, at the Vermilion Driving Range, 7611 U.S. Hwy. 167, Abbeville, LA., at which time alcoholic beverages will be sold.

The Secretary-Treasurer informed the Jurors that the Greater Abbeville-Vermilion Chamber of Commerce and American Legion Post No. 29, will present a candidate forum for the U. S. Congress District 7 seat, which will be held on October 7, 2004, beginning at 12:00 noon at the American Legion Hall, located on La. Hwy. 14 in Abbeville.

Legal Counsel, Mr. Paul Moresi, III, informed the Jury that he had received an opinion from the Attorney General's office stating that Police Jury and Hospital District No. 2 can enter into an intergovernmental agreement for the Jury to use the land to build a Health Unit and other community service offices.

Mr. Moresi, also informed the Jury that he had received an opinion from the Attorney General's Office stating that the removal or transfer of a drainage pump station's maintenance and operation to another entity or group of individuals does not necessarily relieve the Jury of any liability.

Mr. Herschel David informed the Jury that the Vermilion Parish Sheriff's Department has identified the person who vandalized the Rabies Control Building last week. He asked the Jury, if they wanted to file charges, or just have the person make restitution for the repairs.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. Luther "Buster" Hardee III, and unanimously carried, the Police Jury authorized filing legal charges to prosecute the person and request restitution for the cost to repair the facility.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Purvis Abshire, and unanimously carried, there being no further business to be presented, the meeting was duly adjourned.

Secretary-Treasurer

President