

Police Jury Room
November 3, 2004
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on November 3, 2004, with President Hubert J. Faulk presiding.

The meeting was called to order by Mr. Faulk, who asked that Juror Ronald Darby, 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. Carroll Duhon	Mr. Ravis Menard
Mr. Ernal "E. J." Broussard	Mr. Hubert Faulk	Mr. T. J. Prejean, Jr.
Mr. Maxwell Chreene	Mr. Gaulman Gaspard	Mr. Wayne Touchet
Mr. Ronald Darby	Mr. Luther "Buster" Hardee, III	

Absent: Mr. Minos Broussard, Mr. Mark Poche', Mr. Edval Simon, Jr.

The President Faulk called on employee, Mr. Jimmy Meaux, Sr., to speak at this time. Mr. Meaux thanked the Jury for providing the employees with a good insurance for his surgery.

Mr. Ronnie Abshire, with Abbeville Tree Service, spoke to the Jury about the new permit for tree debris disposal. Mr. Abshire asked the Jury set up a procedure, which would allow for multiple permit issuances.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the reading of the minutes of the October 20, 2004 meeting, were dispensed with and were accepted.

President Faulk read the following announcements:

- (1) Lorman Education Services will hold a seminar entitled "Overtime Requirements and Exemptions In Louisiana" on December 2, 2004, in Lafayette, La.
- (2) The AGA Winter Conference sponsored by the Association of Government Accountants will be held on December 1-2, 2004 in Baton Rouge.

Mr. Eugene Sellers, Sr., with Sellers and Associates, Inc., presented various items for the Police Jury's consideration.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1314 to Clayton Williams Energy, Inc. to install 17,353 feet of two, 6” and one, 3” pipeline, within the same trench, from the McIlhenny et al, No. 1 Well, to the UNOCAL South Freshwater Bayou Facility, located in Election District No.09.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of the following “Letters Of No Objection”:

- (A) Apache Corporation - to amend their existing permit to revise the access route through open water for the drilling of S.L. 16672 Well No. 1, in Vermilion Area Blocks 7 and 14, approximately 15-miles southwest of Intracoastal City, located in Election District No. 13.
- (B) Clayton Williams Energy Inc. - to install a ring levee, production barge, and to lay 17,353’ of two, 6” and one, 3” pipelines, to produce the McIlhenny, et al, No. 1 Well, located in Election District No. 9.
- (C) Broussard Brothers, Inc. - to construct a 35’ x 70’ boathouse in an existing slip, in the Intracoastal City area, located in Election District No. 9.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of the following “Telecommunication Permits”:

- (A) Cox Communications, Inc. to furnish and install coax cable on Brant and Dernire Streets, located in Election District No. 1.
- (B) Cox Communications, Inc. to furnish and install coax cable on Reno Road, located in Election District No. 3.
- (C) Cox Communications, Inc. to furnish and install coax cable on Bares Road, located in Election District No. 3.
- (D) Cox Communications, Inc. to furnish and install coax cable on Orangewood Road, located in Election District No. 3.
- (E) Cox Communications, Inc. to furnish and install coax cable on North Road, located in Election District No. 3.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Luther "Buster" Hardee III, and unanimously carried, the Police Jury approved the issuance of a "letter of no objection" to El Paso Production to permanently plug and abandon the Leger Well No. 1, in the Maurice Field, located in Election District No. 1.

Upon motion of Mr. Ravis Menard, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved the issuance of a "letter of no objection" to John F. Montagne to clear a 30' right-of-way and clean out approximately 1,070'L x 15'W x 2'D of an existing drainage ditch to improve drainage for an existing agriculture area, located in Election District 2.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Luther "Buster" Hardee III, and unanimously carried, the Police Jury amended Item No. 2 of the General Committee Recommendations, to direct that bids be received for both used (1998 and newer year models), and new name brand forklifts and that the proposal call for bids to be obtained for 3000#, 4000# and 5000# capacity machines.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. Ernal "E.J." Broussard, and unanimously carried, the Police Jury approved the General Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations:

GENERAL NEEDS COMMITTEE
OCTOBER 28, 2004
ABBEVILLE, LOUISIANA

AS A RESULT OF A GENERAL COMMITTEE MEETING HELD ON OCTOBER 28, 2004, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury resume hauling aggregate materials with parish dump trucks for school bus turnarounds to assist the School Board.
2. It is recommended that the Mosquito Control Manager and Secretary/Treasurer search the state contract listing to see if pricing exists for the purchase of a new forklift with a capacity of 5,000#, 6,000# and 8,000#.
3. It is recommended that the Mosquito Control Program be authorized to obtain bids or purchase through state contract for the following equipment:
 - A) Three (3) u/v spray machines
 - B) One (1), ½ ton pickup
 - C) Light Traps

Cost to be paid from allocation received to upgrade program.

4. It is recommended that Mr. Jarel Williams be hired to replace Mr. Harry Trahan, who will be leaving for other work. Mr. Williams is to be assigned to the asphalt crew.
5. It is recommended that quotes be obtained for the purchase of two (2), new 1000 gallon double wall fuel storage tanks to be placed at the new Area 2 Barn site.

It is further recommended that Sellers & Associates, Inc. be authorized to meet the road supervisor to verify the placement of concrete slabs on which to set the fuel tanks to be sure required spacing from the water well and sewer system are met.

6. It is recommended that the Secretary/Treasurer review the procedure regarding promotions and changes in anniversary date, and that the procedure be changed to issue step raises on the employee's employment date, even after they have been promoted.
7. It is recommended that the dilapidated wooden storage building at the old Area 2 barn site, which needs to be removed, be declared surplus and authorized to be taken down by Mr. Ellis Rung on his own time, for the salvageable material.
8. It is recommended that Sellers & Associates, Inc. be authorized to do a drainage study on Lachausee Road to determine if a single culvert can be used to replace two existing culverts which have rusted out.
9. It is recommended that Invoice No. 21944 from Southside Motors & Towing in the amount of \$77.00 be approved to be paid. Invoice represents service call to remove mail delivery vehicle stuck in washout on side of Lachausee Road. Cost to be paid from Sub 1 of 2 Road District Funds.
10. It is recommended that the President be authorized to create the General Needs Committee, with all jurors being designated as committee members, and appointing Mr. Luther "Buster" Hardee, III, as its initial chairman. Committee to meet once a month on the Wednesday before the first Monday of the month, or as needed. Items from any of the parish programs can be brought before the committee to be considered for recommendation.
11. It is recommended that the Secretary/Treasurer and/or legal counsel be directed to send a letter to Mr. Huey Breaux directing him to obtain a debris permit and to remove the construction debris from Orangewood Drive, at his own cost.
12. It is recommended that Sellers & Associates, Inc. be authorized to meet with the Road Supervisor to address the six (6) month bridge inspections which are needed to be made, and certified.

It is further recommended that overtime be authorized for the Road Supervisor and Mark Leblanc to do the bridge inspections.

13. It is recommended that Ordinance No. 88-08 be amended to extend the 25 mph speed limit zone on Soop Road (formerly P-4-19), an additional 387 feet west of its current ending point.

14. It is recommended that the Department of Transportation and Development and the Louisiana State Police be notified that Maree Michel Road, located on the south side of the Town of Gueydan, is not a truck by-pass route and has a posted weight limit, and therefore should not be used for overweight/oversized permitted loads being transported through the area.

It is further recommended that the above agencies be requested to provide a copy of all oversized/overweight permits issued where the proposed routing takes them through Vermilion Parish.

It is further recommended that a copy of all correspondence be sent to the parish legislative delegation for their assistance.

15. It is recommended that the Police Jury operations be closed on Tuesday, November 2, 2004, due to the National Election which requires numerous parish buildings to be utilized as precinct locations.
16. It is recommended that Statement No. 16859 from Laborde and Neuner in the amount of \$25.00 be approved to be paid. Invoice represents legal services provided relative to the G. Duhon vs. VPPJ suit.
17. It is recommended that Invoice No. 1-04535 from Soil Testing Engineers, Inc. in the amount of \$9,162.50 be approved to be paid. Invoice represents geoscience investigation services provided relative to the Area 2 B Cell Expansion at the Solid Waste Plant.
18. It is recommended that the Police Jury take the following actions in response to the request of the Coastal Restoration Advisory Committee:
 - A) Request the Corps of Engineer's to provide data showing why the Cheniere Plain in Vermilion Parish is not included in the LCA near term plan.
 - B) Support and endorse the East Marsh Island-Marsh Creation Project for funding in the CWPPRA-PPL 14 project list.
19. It is recommended that Invoice No. CSR618618 from Deep South Surplus, Inc. in the amount of \$5,000.00 be approved to be paid. Invoice represents the deductible due relative to the claim of R. Richard, et al.
20. It is recommended that the Police Jury submit the following nominations for selection to the White Lake Preservation, Inc. Board:
 - A) Mr. Sammy Noel
 - B) Mr. Ed Saal, Jr.

It is further recommended that both selections be appointed in view of the fact that the legislation requires at least three members shall be residents of Vermilion Parish, which these nominees meet the criteria.

21. It is recommended that the Police Jury adopt an Ordinance establishing a “No Parking Zone” on the following roads in the area of the Texaco Plant and the Sea Robin Plant located near Henry, as part of the Homeland Security and Office of Emergency Preparedness Buffer Zone Protection Plan:

La. Highway 331, La. Highway 330, Arestide Road, Aurelien Road,
Frank Road, and Kasperski Road

It is further recommended that the Department of Transportation and Development be requested to place the signs along the state highway routes in this area.

ORDINANCE

2005-O-18

AN ORDINANCE ESTABLISHING A “NO PARKING ZONE” ON CERTAIN STATE AND PARISH ROADS IN THE HENRY AREA AROUND THE TEXACO GAS FACILITY AND SEA ROBIN FACILITY AS PART OF THE OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS “BUFFER ZONE PROTECTION PLAN”

WHEREAS the Vermilion Parish Police Jury acting herein through its police powers and governing statutes, does hereby establish “no parking zones” on designated state and parish roads in the area of the Texaco and Sea Robin Gas Facilities, for the purpose of maintaining a secure area from any potential hostile actions.

SECTION 1: BE IT HEREBY FURTHER ORDAINED by the Vermilion Parish Police Jury, that as part of the Office of Homeland Security and Emergency Preparedness’ Buffer Zone Protection Plan for the Texaco and Sea Robin Gas Facilities, that “No Parking Zones” be established on the following roads:

- A) Louisiana Highway 331 – From Kasperski Road to Louisiana Highway 330
- B) Louisiana Highway 330 – From Louisiana Highway 331 to Aurelien Road
- C) Arestide Road – From Louisiana Highway 331 to Aurelien Road
- D) Aurelien Road – From Louisiana Highway 330 to St. Hilary Road
- E) Frank Road – From Louisiana Highway 331 to Aurelien Road
- F) Kasperski Road – From Louisiana Highway 331, westward to its dead end
- G) St. Hilary Road – From Louisiana Highway 331 to Aurilien Road
- H) St. Patrick Road – From St. Hilary Road to Frank Road

SECTION II: *BE IT FURTHER ORDAINED* that it shall be unlawful for any vehicle to be parked abandoned, or left unattended for any reason, on the above listed roads within this designated buffer zone.

SECTION III: *BE IT HEREBY FURTHER ORDAINED*, that the appropriate “No Parking Zone” signs be installed at the appropriate intersections, and along the roadway, as may be necessary.

SECTION IV: *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.

BE IT HEREBY FURTHER ORDAINED, that for a second offense, 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 V: *BE IT HEREBY FURTHER ORDAINED*, that the Vermilion Parish Sheriff’s Department be, and is hereby requested and/or directed, to enforce this Ordinance through regular patrolling.

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Respectfully submitted,
Luther "Buster" Hardee III,
Chairman

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

**AMENDMENT
TO
ORDINANCE
88-08**

WHEREAS, Ordinance 88-08 established a 25 mph speed limit on Soop Road (P-4-19) from Kirk Road (P-4-24), westerly for a distance of ¼ mile).

WHEREAS, the Vermilion Parish Police Jury believes that it is necessary to extend the zone an additional 387 feet to the west.

SECTION I: **NOW THEREFORE, BE IT HEREBY ORDAINED**, that the Vermilion Parish Police Jury does hereby extend the previous speed limit zone for Soop Road, and does hereby impose a 25 mph speed limit on that additional section of Soop Road, for a

distance of 387 feet west of the current designated speed zone, thereby giving a total speed zone length of approximately 0.32 miles (1,707 feet ±).

SECTION II: BE IT HEREBY FURTHER ORDAINED, that the appropriate speed limit signs be repositioned to reflect the entire designated speed zone 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 limit by the use of radar and/or regular patrolling.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury authorized the payment of the 2004 Administrative Cost to be reimbursed to the General Fund from the other taxing districts as follows:

2004 Administrative Cost			
	Gross 2004 Tax Collectible	Percentage	To be refunded to General Fund
General Fund	703,118	21.66%	42,574.06
Health Unit	546,784	16.85%	33,107.98
Parishwide	682,962	21.04%	41,353.60
RD 1 - Mtne.	132,505	4.08%	8,023.23
Mtne. Of R.D.:			
Sub 1 of 2	236,831	7.30%	14,340.21
Sub 2 of 2	9,652	0.30%	584.43
Sub 3 of 2	70,357	2.17%	4,260.14
Sub 4 of 2	200,313	6.17%	12,129.03
Sub 5 of 2	88,490	2.73%	5,358.10
RD 3	43,739	1.35%	2,648.41
RD 4-A	124,048	3.82%	7,511.15

RD 6	56,563	1.74%	3,424.91
RD 7	326,572	10.06%	19,774.06
Ward 8 Cemetary	<u>23,860</u>	<u>0.74%</u>	<u>1,444.73</u>
	3,245,794	100.00%	196,534.04
			<u>(42,574.06)</u>
			153,959.98
			<u>4,000.00</u>
			157,959.98
		Salaries:	200,534
		Library:	<u>-4,000</u>
		Due To Gen. Fd.:	196,534

Upon motion of Mr. Ronald Darby, 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 Mr. Stephen Menard with S & K Cattle Company, L.L.C., to sponsor a country trail ride, on November 6, 2004, located on La. Hwy. 695, Kaplan, LA, at which time alcoholic beverages will be sold.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury reappointed Mr. Carroll Duhon to the Water Works District No. 1 Board.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury approved the issuance of an alcoholic liquor permit to Acadiana Merchantile Co., located at 4609 Aristide Road in Election District No. 8.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury authorized Ms. Merelyn Duhon to sign all purchase orders while Supervisors Mr. Herschel David, Mr. Dudley Broussard, and Mr. Billy Noegle will be at the Herbicide recertification workshop on November 8 and 9, 2004.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved payment of Invoice No. 62813573 from Phillip Reclamation Services, in the amount of \$13,777.12. Invoice represents collection and disposal services provided for the 2004 Household Hazardous Waste Collection Day.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved payment of Invoice No. 62813574 from Waste Management, Inc., in the amount of \$1,582.00. Invoice represents payment for providing the roll-off boxes in conjunction with the 2004 Household Hazardous Waste Collection Day.

The Jury's Legal Counsel, Mr. Paul Moresi, III, informed the Jury that the Secretary/Treasurer had given him a copy of a proposed Drinking Water Protection Ordinance. Parish Engineer Mr. Gene Sellers and the Legal Counsel will get together on the content and will present the Ordinance at the next meeting for approval.

Mr. Moresi also informed the Jury the he spoke with the Louisiana Police Jury Association's legal counsel about the Med Express suit. The Association would probably support the Police Jury's position in the appeal of the Med Express suit ruling.

Upon motion of Mr. Luther "Buster" Hardee III, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury did resolve to request the Louisiana Police Jury Association to support the Police Jury in its appeal regarding the Ambulance Service Ordinance and to urge them to file an Amicus Brief relative to the matter.

Juror Carroll Duhon, asked whether the property needed near the Solid Waste Plant could be purchased or leased and who would do the negotiations. He advised he had spoken to one family and will follow up. He was advised that appraisals would be needed whether leased or purchase.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved a change to the starting time of the regular meetings during standard time (fall and winter) to 6:00 p.m., and when daylight savings time returns that the starting time for the regular meetings would be moved back to 7:00 p.m.

General (Ret.) Robert LeBlanc, Director of the Office of Emergency Preparedness, informed the jurors that his office is involved in the development of a security plan for the Henry (Texaco) Gas Plant as part of the Homeland Security Development.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury authorized the President to be reimbursed for mileage for Presidential duties.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. Ronald Darby, and unanimously carried, there being no further business to be presented, the meeting was duly adjourned.

Secretary-Treasurer

President