Police Jury Room
April 4, 2005
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on April 4, 2005, with President Hubert J. Faulk presiding.

The meeting was called to order by Mr. Faulk, who asked Juror Mark Poche` to 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:

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| Mr. Purvis Abshire | Mr. Carroll Duhon | Mr. Mark Poche` |
| Mr. Ernal "E. J." Broussard | Mr. Hubert Faulk | Mr. T. J. Prejean, Jr. |
| Mr. Minos Broussard | Mr. Gaulman Gaspard | Mr. Edval Simon, Jr. |
| Mr. Maxwell Chreene | Mr. Ravis Menard | Mr. Wayne Touchet |
| Mr. Ronald Darby | | |

Absent: Mr. Luther "Buster" Hardee, III

The President called for any other bids in the audience to be submitted relative to the bid calls shown on the agenda.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury closed the receipt of all bids.

Upon motion of Mr. Purvis Abshire, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury authorized opening the bids received.

| **DRAINAGE IMPROVEMENTS IN THE ERATH/BAYOU TIGRE AREA– PHASE 1** | | |
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| CONTRACTOR | ADDENDUM NO. 1 | TOTAL PROPOSAL |
| Glenn Lege Construction | ✓ | $254,720.00 |
| C& C Fontenot Construction | ✓ | $211,749.00 |
| H & S Construction | ✓ | $422,234.00 |
| M Matt Duran Construction | ✓ | $263,197.40 |
| Gray Construction | ✓ | $211,615.00 |

Upon motion of Mr. Mark Poche`, duly seconded by Mr. Minos Broussard, and unanimously carried, that the Police Jury authorized taking the above bids for Drainage Improvements in the Erath/Bayou Tigre Area – Phase 1, under advisement.

The President called for the next bid if there are any other bids in the audience to be submitted relative to the bid call shown on the agenda for the Solid Waste – High Track Bulldozer.

| SOLID WASTE – HIGH TRACK BULLDOZER | |
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| BIDDER | TOTAL PROPOSAL |
| Nortrax – John Deere | $200,000.00 Model 850 J-LGP<br>$ 5,280.00 Warranty<br>$205,280.00 |
| La. Machinery - Caterpillar | $231,275.00 Model D6R-LGP<br>$ 4,200.00 Warranty<br>$235,475.00 |
| H & E Equipment Services - Komatsu | No Bid Submitted – Statement Only |

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, that the Police Jury authorized taking the bids for the Solid Waste-High Track Bulldozer under advisement and that the Parish Engineer review bids and present recommendations at the next Solid Waste Committee meeting.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the reading of the minutes of the regular meeting of March 21, 2005, were dispensed with and were accepted.

President Faulk read the following announcements:

1) The 21st Annual AGA Spring Conference will be held in Baton Rouge on April 5-6, 2005.

2) The LA. Floodplain Management Association's 22nd Annual Conference will be held on April 27-29, 2005 in Thibodeaux, Louisiana.

Mr. Brent Broussard, with H & E Equipment Services, requested time on the agenda to make some comments regarding the mini-excavator units that were discussed at the General Needs Committee.

Mr. Tim Denais, requested time on the agenda to discuss problems with a group that were flying remote control planes. Mr. Denais' property is located 2 miles west of Maurice and commented about excessive noise levels and the close proximity to residences that the planes were being flown.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury directed the legal counsel to include in his proposal to

upgrade of the noise ordinance, that he look into regulating remote control planes or vehicles.

Sheriff Couvillon discussed the Trustee Litter Abatement Program and the recent purchase of a breath analyzer. The Sheriff informed the Jury that the original estimated cost of a breath instrument was $200.00, which the Jury had agreed to pay; however, the actual cost was $289.00, the Sheriff's Department paid the difference.

Sheriff Couvllion has been requested to allow the unit to be used at a public school prom. Since the Jury owns the equipment does the Jury want to allow the use of the breath instrument by schools, or other organizations? The Sheriff has forms prepared that the principal and persons operating the breath instrument will have to sign relieving the Sheriff Department of any liability.

Upon motion of Mr. Mark Poche`, duly seconded by Mr. Wayne Touchet, with Juror Ronald Darby expressing a negative vote, the Police Jury agreed to allow Erath High School to borrow the breath instrument, subject to liability forms being signed.

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

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the issuance of the following "Letters Of No Objection":

(A) Mr. Earl Hebert, to bulkhead along the Vermilion River and a private canal, 1/2 mile south of the intersection of Coulee Isle Des Cannes and the Vermilion River in Section 5, T-11-S, R-4-E, located in Election District No. 1.

(B) Mr. Mark Hebert, to bulkhead along the Vermilion River, 1/2 mile south of the intersection of Coulee Isle Des Cannes and the Vermilion River in Section 49, T-11-S, R-4-E, located in Election District No. 1.

Upon motion of Purvis Abshire, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1339–D to Davis Petroleum Corporation to construct a drill site for the Leger, et al, No. 1 Well, located off of Highway 705, in Election District No.12.

Upon motion of Ernal "E.J." Broussard, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury amended Item No. 1 of the General Needs Committee Recommendations to delete the 1st paragraph and instead award the contract to furnish two (2) Komatsu PC 7845-6 plus the Lincoln lube system, furnishing a 48" Cleaning Bucket, instead of a digging bucket, and a 60 month/5,000 hour warranty to H & E Equipment Services at a cost of $69,166.48 per unit.

Upon motion of Ernal "E.J." Broussard, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury also amended Item No. 9 of the General Need Committee to add adopting an ordinance to impose a 25 mph speed limit on Boyance Road from the 1st bridge, east of La. Highway 330, thence eastward and southward to its dead end.

**O R D I N A N C E**

**2005-O-05**

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of speeding exists, which is causing very hazardous conditions, on a portion of Boyance Road, in Election District No. 08.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 25 mph speed limit on Boyance Road from the 1st bridge, east of La. Highway 330, eastward and southward to its dead end.

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.

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Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury approved the General Needs Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations:

GENERAL NEEDS COMMITTEE
MARCH 30, 2005
ABBEVILLE, LOUISIANA

AS A RESULT OF A GENERAL NEEDS COMMITTEE MEETING HELD ON MARCH 30, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury approve the award of a contract to purchase two (2), mini-excavators (John Deere 80-C) from NORTRAX Equipment through the state contract. Equipment to be furnished shall include the standard equipment with a front blade and a 48" cleaning bucket instead of the digging bucket; the Lincoln lube system; and the 60 month/5,000 hour powertrain and hydraulic extended warranty. The total cost per unit will be $75,677.66.

   It is further recommended that the Police Jury approve the award of a contract to purchase two (2) hauling trailers (Interstate) from M & L Industries, LLC, being the lowest of the four (4) bids received. Equipment to be furnished shall include the standard unit; a spare tire and wheel; and the spare tire mounting bracket. The total cost per unit will be $13,890.00.

2. It is recommended that the Police Jury approve hiring The Sellers Group to proceed with the design of the Community Health Center and that the following subcommittee be authorized to meet with the Department of Health and Hospitals Office and health unit personnel to finalize a space allocation plan;

   The Sellers Group, President, Vice-President, Courthouse/
   Building Committee Chairman & Finance Committee Chairman

3. It is recommended that the legal counsel, secretary-treasurer and building permit officer be authorized to prepare a draft of possible amendments to the subdivision ordinance, or additional rules and/or questionnaire to address the development of properties in violation of the subdivision ordinance.

4. It is recommended that the damage claim of Carolyn Borel in the amount of $26.00 be approved to be paid. Cost to be paid from the '94 Sales Tax Fund.

5. It is recommended that La. Flyway Lodge be reimbursed the prorated cost ($13.09) of the unused monthly service charge for March. Container picked up March 25, 2005, instead of at end of month.

6. It is recommended that the Solid Waste truck pusher, Teddy Conner, be included in the night differential rate change, previously approved.

7. It is recommended that Mrs. Winnie Broussard be reappointed to the Hospital Service No. 1 Board of Commissioners for another term effective as of April 5, 2005.

8. It is recommended that the legal counsel be requested to research if the Police Jury is responsible to pay transport charges for commitment orders by doctors at the hospital.

   It is further recommended that the legal counsel research if cost incurred for the handling of commitments can be submitted to the families or insurance companies for payment or reimbursement.

9. It is recommended that speed limit ordinances be adopted for the following roads;

   a. Offshore Road – 35 mph – entire length
   b. S. Hospital Drive – 45 mph – entire length
   c. Kin Drive – 25 mph – entire length

10. It is recommended that the following payments relative to the Gueydan Library Construction be approved for payment;

    a. Minvielle Lumber Co., Inc.
       Partial Payment Estimate #8
       Amount Due - $45,947.70

    b. The Sellers Group
       Invoice No. 2742
       Amount Due - $779.07

11. It is recommended that the Police Jury consider paying the difference between the 2005 and 2004 budget deficit allocation to the Acadiana Criminalistics Laboratory.

Respectfully submitted,
Wayne Touchet
Chairman

In accordance with the General Needs Committee Recommendations, the following ordinances where adopted:

**O R D I N A N C E**

**2005-O-06**

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of speeding exists, which is causing very hazardous conditions, on South Hospital Drive, in Election District No. 09.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 45 mph speed limit on S. Hospital Drive from the La. and Delta Railroad Tracks, southward to its intersection with W. Wildcat Drive/Prejean Road.

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.

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**O R D I N A N C E**

**2005-O-07**

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of speeding exists, which is causing very hazardous conditions, on Kin Drive, in Election District No. 08.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion
Parish Police Jury does hereby impose a 25 mph speed limit on Kin Drive for its entire length (From Judy Street south to the Delcambre Wastewater Treatment Plant).

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.

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**O R D I N A N C E**

**2005-O-08**

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of speeding exists, which is causing very hazardous conditions, on Offshore Road, in Election District No. 09.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 35 mph speed limit on Offshore Road for its entire length (La. Highway 333 to its dead end).

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.

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Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved the issuance of a letter of no objection for a temporary beer permit to be issued to Ravis Frederick for a medical fundraiser for Earl Seaux to be held on April 9, 2005.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury approved proclaiming May 21, 2005 as Friedreich's Ataxia Awareness Day and authorizing the President to sign the proclamation.

**PROCLAMATION**

**FRIEDREICH'S ATAXIA AWARENESS DAY**

To recognize the third Saturday in May as Friedreich's Awareness Day in support of raising awareness of and searching for a cure for Friedreich's Ataxia.

WHEREAS, Friedreich's Ataxia is a life shortening, debilitating and rare genetic neurodegenerative disorder; and

WHEREAS, systems include weakness and loss of coordination in the arms and legs; impairment of vision, hearing and speech; aggressive scoliosis (curvature of the spine); diabetes; and a serious heart condition; and

WHEREAS, most patients are confined to a wheelchair full-time by their late teens, or early twenties; and

WHEREAS, the Acadian population of Louisiana are afflicted with Friedreich's Ataxia at a rate much greater that the general population; and

WHEREAS, the Louisiana State University Health Science Center is one of the leading research institutions studying Friedreich's Ataxia ; and

WHEREAS, Dr. Bronya Keats of LSUHSC is a founding member of the Friedreich's Ataxia Research Alliance Board of Directors and its Scientific Review Committee; and

WHEREAS, 100% of charitable contributions to the Friedreich's Ataxia Research Alliance are dedicated to support research leading to a treatment or cure for this relentless and devastating disorder; and

WHEREAS, significant strides are being made on all fronts to slow progression and find a cure; and

WHEREAS, research being done on Friedreich's Ataxia is supported by the Muscular Dystrophy Association and may be applied to find a cure for other neuromuscular disorders; and

WHEREAS, raising awareness of Friedreich's Ataxia may lead to an increase in funding for additional research and a greater understanding of this disorder.

NOW THEREFORE, BE IT RESOLVED, that I, Hubert J. Faulk, President of the Vermilion Parish Police Jury, hereby proclaim May 21, 2005 as "FRIEDREICH'S ATAXIA AWARENESS DAY" in VERMILION PARISH and urge all citizens to honor and support those individuals with ataxia, as well as their care givers, in the hope that a cure will soon be found

Upon motion of Mr. Edval Simon, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved offering a term life insurance proposal from United American Life Insurance Company. Cost to be paid based on the same criteria as the health insurance coverage

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved payment of the DEQ fees ($100.00/each) for solid waste plant operator certifications for the following employees:

1) Joseph Ricky LeBlanc
2) Thomas Campbell

The Police Jury's Legal Counsel, Mr. Paul Moresi, III, advised the Jury that for an existing shooting range, there are specific state statutes that restrict the Jury's ability to pass an ordinance to regulate an existing facility. However, the Jury can adopt an ordinance which would regulate future developments.

Mr. Moresi advised the Jury that copies of other parish noise ordinances are being obtained.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury approved sending a letter commending the Indian Bayou Fire Department and all other parish fire departments, the Vermilion Parish Sheriff's Department, the Red Cross, and Police Jury Staff who helped out during the Burlington Resources blowout.

Upon motion of Mr. Mark Poche`, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the Police Jury approved appointing of Mr. Paul L. Mayard to the Twin Parish Port Commissioner to fill the unexpired term of Mr. Johnnie Suire who has resigned.

Parish Road Supervisor, Mr. Dudley Broussard, advised the Jury that two (2) Asphalt Crew employees have quit.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury directed the Road Supervisor to look at transferring drivers from the Area Barns.

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

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Secretary-Treasurer President