

Police Jury Room  
June 20, 2005  
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on June 20, 2005, with President Hubert J. Faulk presiding.

The meeting was called to order by Mr. Faulk, who asked, Juror Ronald Darby, 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:

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. Luther "Buster" Hardee, III	Mr. Wayne Touchet
Mr. Ronald Darby	Mr. Ravis Menard	

Absent: None

President Faulk called on Mr. Paul Moresi, Legal Counsel for the Jury, to discuss the agenda item that was added requiring a formal motion to make any additions/changes to the agenda (requiring a 2/3 majority of the jurors present). Mr. Moresi advised that state law requires this action for the jury to add or delete items from the agenda.

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. Ernal "E.J." Broussard, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury closed the receipt of all bids.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury authorized opening the bids received.

LeBlanc Trailer Sales, Inc. submitted a bid to furnish trash trailers for the solid waste program at a cost of \$3,344.00 per trailer. LeBlanc Trailers, Inc. offered a discount price of \$3,244.00 per trailer, if four, or more, would be purchased at one time.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. Wayne Touchet, and unanimously carried, that the Police Jury authorized taking the above bid, to furnish Solid Waste Trash Hauling Trailers, under advisement for review and referred to committee for action.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the reading of the minutes of the regular meeting of June 6, 2005, were dispensed with and were accepted.

President Faulk read the following announcements:

1. Received a copy of the 2005/2006 Operating Budget and the Revised 2004/2005 Operating Budget from the Vermilion Parish Clerk Of Court Office, which will be kept on file.
2. Received the Financial Audit Report for Fiscal Year 2004 from Hospital Service District No. 2 (Abbeville General Hospital), which will be kept on file.

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

Mr. Sellers advised the Jurors that a preconstruction meeting relative to the Bayou Tigre Drainage Improvement, Phase 1, Project will be held at Erath City Hall, on June 21, 2005, beginning at 9:00 a.m.

Mr. Sellers provided a copy of the bid tabulation for the Materials For Parish Road Maintenance bids received at the June 6, 2005 meeting.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury approved the award of contracts to the various low bidders as recommended, and as shown on the bid tabulation, except as noted.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1343-WL to Southeast Waterworks Dist. No. 2 to provide water service to new customers, in the area between and south of Erath and Delcambre, to the Henry And Boston areas, located in Election District Nos. 6, 8, and 9.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1345-D to Key Operating Company to construct a drill site, for the S. L. No. 16995, Well No. 3, located in Election District No.13.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. Luther "Buster" Hardee, III, and unanimously carried, the Police Jury approved the issuance of Permit No. 1346 to Hilliard Petroleum, Inc. to install ± 2,961 feet of one 4-inch pipeline, located at East Buck Point (Vermilion Bay), in Election District No.9.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1347-D to Petrogulf Corporation to construct a drill site for the John Wesley Broussard, et al, No. 1 Well, located in Election District No.3.

Upon motion of Mr. Luther "Buster" Hardee, III, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the transfer of the named permit holder for Project Permit No. 1293-D from El Paso Production Company to McMoRan Oil & Gas, LLC.

Upon motion of Mr. Luther "Buster" Hardee, III, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the transfer of the named permit holder for Project Permit No. 1297-D from El Paso Production Company to McMoRan Oil & Gas, LLC.

Upon motion of Mr. Purvis Abshire, duly seconded by Mr. Minos Broussard and carried, with Mr. Ronald Darby abstaining from voting, the Police Jury approved the issuance of a telecommunication permit to Cox Communications, Inc., to bury cable on Maloney Road, located in Election District No. 2.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, Item No. 1 of the Public Road Committee Recommendations was withheld from consideration at this time, pending a report from Legal Counsel, and to accept the remaining recommendations as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations:

PUBLIC ROAD COMMITTEE  
JUNE 15, 2005  
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC ROAD COMMITTEE MEETING HELD ON JUNE 15, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the following actions relative to the motor patrol bids received June 6, 2005 be approved.
  - a) Reject the bid of Nortrax as being non-responsive in meeting the requirements of the specifications.
  - b) Approve the award of Base Proposal No. 1, only, to furnish one, or more, 2005 or latest model, motor patrols to H & E Equipment at a cost of \$149,000, each.

It is further authorized that a contract be awarded to H & E Equipment to provide four (4) motor patrols in accordance with the bid and specifications.

2. It is recommended that the legal counsel be directed to research/obtain ordinances from other parishes which would regulate shooting ranges and remote control airplanes in residential areas.
3. It is recommended that the damage claim of Ms. Katie Vice be denied.
4. It is recommended that Mr. Nicholas Lasalle be hired as a general laborer and assigned to the asphalt crew.
5. It is recommended that the Police Jury agree to pay the cost of the initial testing for an employee to obtain a Class "A" driver's license needed to drive the truck and trailers used to haul the mini-excavators.
6. It is recommended that authorization be given to purchase of a 40' of 36" culvert to replace a collapsed cross drain on Stutes Road. Cost of the culvert to be paid from the bridge replacement fund.
7. It is recommended that that Invoice No. D140964-IN in the amount of \$87,012.00 from Broussard Brothers, Inc. be approved to be paid. Invoice represents work completed on the Cheniere Au Tigre Sediment Trapping Cement Bag Breakwaters - Project. Cost to be reimbursed from the Coastal Impact Assistance Program funds.

It is further recommended that the Police Jury accept the project as complete and issue a Notice of Acceptance.

8. It is recommended that the Police Jury submit the following names to the Abbeville Harbor and Terminal District for consideration as a commissioner:
  - a) Francis M. "Bud" Zaunbrecher
  - b) Elbert Dawson
9. It is recommended that the Police Jury purchase the 60 month/5000 hour powertrain, only, extended warranty and service plan for the two (2), New Holland TS115A tractors, at a cost of \$2,597.00 each.
10. It is recommended that the Police Jury establish a policy that addresses the placement of ditch dirt placed on private property by the Police Jury equipment on a vacant lot, or to fill low areas, or in fields. The policy is to also allow for the spreading of the dirt piles after drying out. Not intended for making a house pad.
11. It is recommended that the invoices presented be approved to be paid.

Respectfully submitted,  
Luther "Buster" Hardee III,  
Chairman

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Mark Poche`, and unanimously carried, the Police Jury authorized the Solid Waste supervisor to purchase 100 conveyor pans for the mill conveyor at the solid waste plant from Rexnord, at a cost of \$396.40 per pan.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Luther "Buster" Hardee, III, and unanimously carried, the Police Jury approved the Public Works Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations.

PUBLIC WORKS COMMITTEE  
JUNE 15, 2005  
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC WORKS COMMITTEE MEETING HELD ON JUNE 15, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the following employees be promoted to Grade 9, Operator status:
  - a) Carlon Campbell
  - b) Harry Huntly
2. It is recommended that the Police Jury approve the payment of the damage claim of Mrs. Pam Salazar in the amount of \$482.00.
3. It is recommended that the Police Jury establish a policy for the solid waste program dealing with the pick-up of garbage cans near mailboxes, or other obstructions.
4. It is recommended that the legal counsel research state law or DOTD policy regarding the placement of mailboxes within the road right of way and to draft an ordinance regarding the type and placement of mailboxes along the road shoulder of a parish road.
5. It is recommended that Sellers & Associates, Inc. be authorized to prepare the necessary DEQ permit application for the Air Curtain Destructor near the solid waste plant.

6. It is recommended that the invoices submitted for payment by the Public Works office be approved to be paid.
7. It is recommended that a letter be sent to Ray's Quick Stop giving him ten (10) days to return the containers to the Vermilion Parish Solid Waste Plant.

It is further recommended that a letter be sent to all private garbage collection companies advising them not to remove any of the Vermilion Parish containers without first contacting the solid waste office.

It is further recommended that the solid waste department take steps to verify or have all parish garbage containers identified and marked as the property of the Vermilion Parish Police Jury.

8. It is recommended that the following appointments be approved:
  - a) Coulee Baton Drainage District  
Jimmie Meaux, Sr.  
Effective 6/17/2005
  - b) Fire Protection District No. 7  
Lee Borderlon - Effective 6/21/2005  
Essay J. Hebert, Jr. - Effective 6/21/2005  
John Edwin Hebert - Effective 6/21/2005

Respectfully submitted,  
Carroll Duhon,  
Chairman

Upon motion of Mr. Mark Poche, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury approved the Finance Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations:

FINANCE COMMITTEE  
JUNE 15, 2005  
ABBEVILLE, LOUISIANA

AS A RESULT OF FINANCE COMMITTEE MEETING HELD ON JUNE 15, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury accept the 2004 audit report as presented by Mr. Rob Carter with Kolder, Champagne, Slaven and Co., and that the Secretary/Treasurer be authorized to distribute the report to the appropriate reporting agencies.
2. It is recommended that the Police Jury, utilizing the annual intergovernmental agreement with the City of Abbeville, provide the interim payment of the City's portion of the Acadiana Criminalistics Laboratory funding, until they receive their financing monies at which time they will reimburse the Police Jury.

It is further recommended that authorization be given to make the necessary payment should a similar arrangement become necessary with the City of Kaplan.

3. It is recommended that the following invoices be approved to be paid from the 8<sup>th</sup> Ward Cemetery Fund for the period April-June, 2005:
  - 1) Diana Gale Smith - \$300.00 – record keeping for the months of April-June, 2005.
  - 2) Lorphea Broussard - \$200.00 – maintenance of the Little Chapel Cemetery for the months of April-June, 2005.
  - 3) Kent Richard - \$300.00 – maintenance of the Broussard Cemetery for the months of April-June, 2005.
  - 4) Troy Lawn Service - \$350.00 – maintenance of the Shell Beach Cemetery for the months of April-June, 2005.
  - 5) Troy Lawn Service - \$1,650.00 – maintenance of the Gueydan Cemetery for the months of April-June, 2005.
  - 6) Shelton Breaux - \$50.00 – per diem for the months of April-June, 2005.
  - 7) Roy Fontenot - \$50.00 - per diem for the months of April-June, 2005.
  - 8) William Hair - \$50.00 - per diem for the months of April-June, 2005.
  - 9) Marcus Rizzuto - \$50.00 - per diem for the months of April-June, 2005.

It is further recommended that future invoices received for these maintenance services be processed as routine bills.

4. It is recommended that the invoices submitted to the Finance Committee be approved to be paid.
5. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to obtain quotes for supplying gasoline and diesel as part of the six (6) month supply contract, with a provision to allow for price adjustments based on the daily market price report.

Respectfully submitted,  
Mark Poche`  
Chairman

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved the Courthouse/Building Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations.

COURTHOUSE BUILDING COMMITTEE  
JUNE 15, 2005  
ABBEVILLE, LOUISIANA

AS A RESULT OF A COURTHOUSE BUILDING COMMITTEE MEETING HELD ON JUNE 15, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury request the Office of Community Development for a 45 day extension to the six (6) month design period requirement for the 2005 LCDBG-Multi-Purpose Community Health Center Project in view of the time delay experienced in receiving the Program and Conceptual Design Data from the Louisiana Department of Health and Hospitals.

It is further recommended that The Sellers Group be authorized to proceed with plans and design based on a building to be approximately of 12,500 sq. ft. in size and being a metal and brick façade structure.

2. It is recommended that Application No. 11 from Minvielle Lumber Co., Inc. in the amount of \$44,845.40 be approved to be paid. Invoice represents payment of the retainage and part of the completed punch list items for the Gueydan Branch Library.
3. It is recommended that the Clerk of Court be authorized to proceed with the construction of a partitioned area in the records vault, which is to be used as an accounting area. Cost of the improvements are to be paid by the Clerk's funds.
4. It is recommended that the Police Jury award a contract to Bon Ami Floor Gallery to install new floor tile in the Office of Emergency Preparedness area at a cost of \$1,231.82, being the lowest of the quotes received.
5. It is recommended that the Police Jury allow the Christians Helping Others Organization to use a portion of the first floor of the Parish Government Office Complex subject to the following stipulations being met:

- (A) Subject to an agreement being signed.
- (B) Provide a Certificate of Insurance, acknowledging insurance coverage for the organization is in place.
- (C) That the space usage would be for an initial 30 day trial basis, with a maximum period of use of 180 days.
- (D) That the work area used will be separated by partitions and will be kept neat at all times, and will not interfere with any other building operations.
- (E) Use of the facility will be limited to the same normal operating hours of the other agencies currently in the building.
- (F) Full time supervision shall be provided at all times during building use operations.
- (G) Provide a description of the activity to be done in the facility.

Respectfully submitted,  
Ronald Darby,  
Chairman

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury approved the Rabies & Animal Control Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations:

RABIES AND ANIMAL CONTROL COMMITTEE  
JUNE 15, 2005  
ABBEVILLE, LOUISIANA

AS A RESULT OF A RABIES AND ANIMAL CONTROL COMMITTEE MEETING HELD ON JUNE 15, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury agree to replace Ms. Karen Green's dog, which was euthanized in error, with a dog of her choice selected from those dogs placed with the Jury's facility for adoption.
2. It is recommended that the Sheriff's Office and the municipal police departments be sent a letter requesting, that when handling dog or cat abuse cases, that as the

arresting officer, they develop an incident report and take pictures of the animal and site conditions before Rabies Control picks up the animal.

Respectfully submitted,  
Wayne Touchet,  
Chairman

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury approved the Section 5311 Monthly Activity Report for the month of May, 2005, 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. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Vermilion Parish Police Jury adopted the adjusted millage rates for the tax year 2005. Note: Rates approved are the same rates that were adopted in 2004 except for the Library Bond millage, which was reduced, and are listed below:

***RESOLUTION***  
***2005-R-15***

BE IT RESOLVED, by the Police Jury of the Parish of Vermilion, Louisiana, in public hearing held on June 20, 2005, which hearing was conducted in accordance with the open meetings law and the additional requirements of Article VII, Section 23 (C) of the Constitution, that the following adjusted millage rates be, and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2005, for the purpose of raising revenue:

MILLAGE

Road District Sub 1 of 2-Maintenance	4.85
Road District Sub 2 of 2-Maintenance	6.28
Road District Sub 3 of 2-Maintenance	4.63
Road District Sub 5 of 2-Maintenance	5.56
Library-Bond	2.20
Health Unit-Maintenance	2.61
Parishwide Road-Maintenance	3.26
Parishwide General Alimony (Except Abbeville & Kaplan)	3.74
Parishwide General Alimony (Abbeville & Kaplan, Only)	1.87
Road District No. 1-Maintenance	5.72
Ward 8 Cemetary-Maintenance	0.86
Road District Sub 4 of 2-Maintenance	8.38
Road District 4-A-Maintenance	6.93
Road District 6-Maintenance	6.27

Road District 7-Maintenance	6.68
Road District 3-Maintenance	5.63

BE IT FURTHER RESOLVED, that the Assessor of the Parish of Vermilion, shall extend upon the assessment roll for the year 2005 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

This foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: Purvis Abshire, Ernal "E. J." Broussard, Minos Broussard, Maxwell Chreene, Ronald Darby, Carroll Duhon, Hubert Faulk, Gaulman Gaspard, Luther "Buster" Hardee III, Ravis Menard, Mark Poche, T. J. Prejean, Jr., Edval J. Simon, Jr., and Wayne Touchet.

NAYS: None

ABSTAINED: None

ABSENT: None

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Upon motion of Mr. Mark Poche, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the Vermilion Parish Police Jury adopted the adjusted millage rate after assessment, and roll forward the millage to a rate not to exceed the prior year's maximum millage for the year 2005. Note: Rates approved are the same rates adopted in 2004 and are listed below:

***RESOLUTION  
2005-R-16***

BE IT RESOLVED, by the Police Jury of the Parish of Vermilion, Louisiana, in public hearing held on June 20, 2005, which hearing was conducted in accordance with the open meetings law and additional requirements of Article VII, Section 23 (C) of the Constitution, that the taxing authority voted to increase the millage rates, but not in excess of the prior year's maximum rates, on all taxable property shown on the official assessment roll for the year 2005, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rates are:

	<u>Adjusted Rate</u>	<u>2005 Levy</u>
Parishwide General Alimony (Except Abbeville & Kaplan)	3.74	3.75
Ward 8 Cemetery-Maintenance	0.86	1.03
Road District Sub 1 of 2-Maintenance	4.85	5.06
Road District Sub 2 of 2-Maintenance	6.28	6.43
Road District Sub 3 of 2-Maintenacne	4.63	4.98

BE IT FURTHER RESOLVED, that the Assessor of the Parish of Vermilion shall extend upon the assessment roll for the year 2005, the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

This foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership of the taxing authority voting in favor as required by Article VIII, Section 23 (C) of the Louisiana Constitution and R.S. 47:1705 (B). The votes were:

YEAS: Purvis Abshire, Ernal "E. J." Broussard, Minos Broussard, Maxwell Chreene, Ronald Darby, Carroll Duhon, Hubert Faulk, Gaulman Gaspard, Luther "Buster" Hardee, III, Ravis Menard, Mark Poche, T. J. Prejean, Jr., Edval J. Simon, Jr., and Wayne Touchet.

NAYS: None

ABSTAINED: None

ABSENT: None

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A motion was made by Mr. Wayne Touchet, duly seconded by Mr. Carroll Duhon, that Mr. Michael J. Bertrand be appointed as the Registrar of Voters.

Upon motion of Mr. Ernal "E.J." Broussard, duly seconded by Mr. Luther "Buster" Hardee, III, and unanimously carried, a roll call vote on the motion was ordered:

Voting for the motion were: Mr. Carroll Duhon, Mr. Hubert J. Faulk, Mr. Ronald Darby, Mr. Wayne Touchet, Mr. Edval Simon, Jr., Mr. Maxwell Chreene, Mr. Purvis Abshire, Mr. T. J. Prejean, Jr.

Voting Against the motion were: Mr. Minos Broussard, Mr. Mark Poche`, Mr. Ernal "E.J." Broussard, Mr. Gaulman Gaspard, Mr. Ravis Menard Mr. Luther "Buster" Hardee, III.

The vote there upon was 8 for, and 6 against, the motion. Therefore, the motion passed as presented and Mr. Bertrand was appointed to the position of Registrar of Voters, effective July 1, 2005.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved the award of the contracts to the various low bidders for the janitorial supplies and miscellaneous filters and vehicle parts for the

period July 1, 2005 thru December 31, 2005, which were submitted by the Purchasing Agent.

The Police Jury's Legal Counsel, Mr. Paul Moresi, III, informed the Police Jury that Lafayette Parish Government does not have any ordinance regarding shooting ranges or remote control airplanes.

Mr. Moresi informed the Jury that he is still researching information regarding the placement of mailboxes on the road shoulder.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury went into executive session at 7:18 p.m. to discuss the following litigation matters, as requested by the Legal Counsel:

- (1) NORTRAX, pending litigation regarding the motor grader bids.
- (2) Notice of possible litigation regarding the Jury's abandonment of a road in Election District No. 13.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury returned to regular session at 7:28 p.m.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury approved Item No. 1 of the Public Road Committee Recommendations as presented.

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

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Secretary-Treasurer

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President