

Police Jury Room
July 5, 2005
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on July 5, 2005, with President Hubert J. Faulk presiding.

The meeting was called to order by Mr. Faulk, who asked Juror Ernal "E.J." Broussard 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. Ernal "E. J." Broussard	Mr. Carroll Duhon	Mr. Mark Poche`
Mr. Minos Broussard	Mr. Hubert Faulk	Mr. T. J. Prejean, Jr.
Mr. Maxwell Chreene	Mr. Gaulman Gaspard	Mr. Edval Simon, Jr.
Mr. Ronald Darby	Mr. Ravis Menard	Mr. Wayne Touchet

Absent: Mr. Purvis Abshire, and Mr. Luther "Buster" Hardee, III

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Ernal "E.J." Broussard, and unanimously carried, the Police Jury approved amending the agenda to allow the following persons to make presentations:

- 1) Mr. Francis Plaisance
- 2) Mr. Dwayne Broussard
- 3) Mr. Ricky Luquette

Mr. Francis Plaisance, Chairman of the La. Cattle Festival Association announced the upcoming entertainment schedule for this year's Cattle Festival to be held in October.

Mr. Dwayne Broussard, with Christians Helping Others, presented a copy of the organization's liability insurance certificate and requested, permission to park trailers to load materials to be distributed on the Police Jury Government Complex Building parking lot.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Ernal "E.J." Broussard, and unanimously carried, the Police Jury approved allowing the Christians Helping Others organization to park trailers at the Vermilion Parish Government Complex Building parking lot to load materials.

Mr. Ricky Luquette, Vice-Chairman of the Vermilion Parish Library Board, commented on the activities of the board and the library usage numbers in the parish. He advised that the Board has met across the parish promoting the need for the libraries and the need for the renewal of the maintenance tax. Many governmental entities have taken action endorsing the project.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Minos Broussard, and unanimously carried, with T. J. Prejean, Jr., abstaining from voting, the Police Jury went on record endorsing and supporting the Library Tax Renewal proposal to be voted on by the people on Saturday, July 16, 2005.

Juror Wayne Touchet thanked Mr. Luquette and the Board Members for their efforts in promoting the Library Tax Renewal.

President Faulk read the following announcements:

1. The U.S. Equal Employment Opportunity Commission is hosting a free workshop entitled "Lessen Your Liability in EEO Complaints" and "Mediation - A First Response to the Resolution of Complaints." The workshop will be held on Wednesday, July 13, 2005, from 8:00 a.m. to 12:00 Noon, at the Clarion Hotel, in Shreveport.
2. The next Coastal Wetlands Planning, Protection, and Restoration Act Task Force Meeting will be held on Wednesday, July 27, 2005, at 9:30 a.m. at the Corps Of Engineers Office in New Orleans.

Upon motion of Mr., Edval Simon, Jr., duly seconded by Mr. Ravis Menard, and unanimously carried, the reading of the minutes of the regular meeting of June 20, 2005, and the special meeting of June 27, 2005, were dispensed with and were accepted.

Ms. Liz Girouard, 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 roadway and drainage plans and specifications, contingent upon compliance with the parish engineer's review letter, for the La Campagne Subdivision development, located in Election District No. 2.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1348-D to Cimarex Energy Company, to construct a drill site for the Cimarex-Jewell Foreman Carcer Trust No. 1 Well, located in Election District No.2.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of Project Permit No. 1391-D to Stone Energy Corporation, to construct a drill site for the Ehrhardt, et al, No.1 Well, located in Election District No.14.

Upon motion of Mr. Mark Poche`, duly seconded by Mr. Ravis Menard and carried, with Mr. Gaulman Gaspard abstaining from voting, the Police Jury approved the issuance of a telecommunication permit to Kaplan Telephone Co., to replace an old cable on West Marist Street, located in Election District No. 12.

Upon motion of Mr. Mark Poche`, duly seconded by Mr. Ravis Menard and carried, with Mr. Gaulman Gaspard abstaining from voting, the Police Jury approved the issuance of a telecommunication permit to Kaplan Telephone Co., to provide new telephone service on Simeon Road, located in Election District No. 12.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of a "Letter of No Objection" to Burlington Resources Oil & Gas, to prop wash and temporarily remove an earthen plug to access the Stovall Well No. 1, located in Section 31, T-14-S, R-4-E, east of Intracoastal City, 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 a "Letter of No Objection" to Truckline Gas Company, to restore and repair several eroding levees at several canal crossings, in Section 23, T-17-S, R-1-E, south of Louisiana Highway 82, located in Election District No. 13.

Upon motion of Mr. Wayne Touchet, duly seconded by Mr. Ernal "E.J." Broussard, and unanimously carried, the Police Jury approved the General Needs Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations:

GENERAL NEEDS COMMITTEE
JUNE 29, 2005
ABBEVILLE, LOUISIANA

AS A RESULT OF A GENERAL NEEDS COMMITTEE MEETING HELD ON JUNE 29, 2005, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury approve the issuance of a seismic permit to Veritas DGC Land/Norman Price Exploration/Louisiana Gas to conduct seismic operations in the South Lake Arthur 3D Prospect, subject to the remaining paperwork being provided and the holding of a pre-project meeting.
2. It is recommended that the Police Jury defer to the next committee meeting the award of a contract relative to the 2005 Road Improvements in Election District No. 3 pending review of available funds.

3. It is recommended that the Police Jury rescind the award of Proposal No. 22 – Automated Waste Containers, in the Materials For Parish Road Maintenance (7/1/05-12/31/05) to Sanipak Environmental Products in view of their inability to provide the containers in accordance with the specifications.

It is further recommended that the contract award be issued to Frenzel Motors, Inc. in view of their being the next lowest bidder.

4. It is recommended that the Police Jury approve the preliminary plat and the street and drainage plan design for Kindall Ridge Subdivision, Phase 1 & 2, subject to the conditions being met as stated in the parish engineer's review letter, and also to include the provision that the developer and/or a future landowner association shall be responsible for the maintenance of any retention ponds and control structure located within the subdivision.

It is further recommended that the parish engineer and legal counsel prepare an amendment to the subdivision ordinance to address the following items:

- 1) Perpetual maintenance of detention ponds, lakes, etc. and control structures shall be the responsibility of the developer or that a homeowner association will be created to provide maintenance.
 - 2) Address that the Police Jury shall have the ability to accept or reject a public road right-of-way in areas where a road is developed in an area prone to flooding for extended periods, or which may have been elevated using extensive fill material.
5. It is recommended that the Police Jury enter into an intergovernmental agreement with the Coulee Kinney Drainage District to remove and replace existing culverts through the property of Charles Touchet. The Touchet's will furnish the culverts and the Police Jury will provide the labor and needed equipment to do the project.
 6. It is recommended that Sellers & Associates, Inc. be authorized to do a drainage study in the area of Rodeo Road in Election District No. 6.
 7. It is recommended that the Police Jury approve Policy No. 2005-SW-06, as amended. Policy deals with the placement of garbage containers for pickup near mailboxes, or other private property.
 8. It is recommended that La. and Delta Railroad be requested to clear their right of way on east and west sides of their crossing on South Hospital Road.

9. It is recommended that the Police Jury adopt the following ordinance presented by the legal counsel, which would regulate shooting ranges in the unincorporated areas of the parish, subject to the modifications authored by the committee.
10. It is recommended that Mr. Harry Lege be reappointed to the Seventh Ward Gravity Drainage District No. 2 Board of Commissioners effective with the end of his current term (7/6/05).
11. It is recommended that the Police Jury request the Louisiana Congressional Delegation to obtain authorization for the Corps of Engineers to include Vermilion Parish in existing EDWA authorization to investigate measures to reduce flood damages caused by rainfall and/or storm surge.
12. It is recommended that the Police Jury award the contract to furnish four (4) trash hauling trailers to LeBlanc Trailer Sales, Inc. at a cost of \$3,244.00 per trailer.
13. It is recommended that the bid proposal presented by the parish engineer to supply gas and diesel fuel be reviewed by the purchasing agent, and, if in order, that authorization be given to advertise for bids to be received.
14. It is recommended that quotes be obtained for a new telephone system for the Police Jury administrative office.
15. It is recommended that the Police Jury approve contracting with Michael J. Bertrand at a rate of \$30.00 per hour to take the minutes at the Jury's regular and committee meetings until a replacement is found.

Respectfully submitted,
Wayne Touchet
Chairman

In accordance with the General Needs Committee Recommendations, the following ordinance was adopted:

**ORDINANCE NO.
2005-O-21**

AN ORDINANCE REGULATING SHOOTING RANGES IN THE
UNINCORPORATED AREAS OF THE PARISH OF VERMILION

BE IT ORDAINED by the Vermilion Parish Police Jury, that:

Sec. 1. Declaration of findings and policy.

Whereas, public safety concerns associated with the discharge of firearms or other weapons, and the dangers of excess sound, are potentially serious hazards to the public health, welfare, safety and quality of life; and

Whereas, the citizens of the unincorporated area of the Parish of Vermilion have a right to, and should be ensured of an environment free from such hazards; and

Now, therefore, be it ordained by the Vermilion Parish Police Jury that it is its policy to prevent hazards associated with the discharge of firearms, and/or excessive sounds that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life in the unincorporated areas of the Parish of Vermilion, and particularly in our residential neighborhoods. Therefore, the Vermilion Parish Police Jury hereby adopts the findings and policy stated in this Section, and in accordance with said findings and policy, the Vermilion Parish Police Jury hereby adopts the following regulations for the regulating of shooting ranges within the unincorporated areas of the Parish of Vermilion.

Sec. 2 Definitions.

The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

Shooting range or *range* means an area designed and operated primarily for: persons using or discharging rifles, shotguns, pistols, revolvers, or black powder weapons; archery; air rifles; silhouettes; skeet ranges; trap ranges; target shooting, or any other similar activities.

Sec. 3. Applicability.

This ordinance applies to any *shooting range* or *range* located in or proposed to be located in any of the unincorporated areas of the Parish of Vermilion.

Sec. 4. Permits Required

- (a) Prior to constructing or operating a *shooting range*, a permit must be obtained from the Vermilion Parish Police Jury.
- (b) Such a permit must be applied for, in writing, to the Vermilion Parish Police Jury and shall include:
 - (1) The name, address, and phone numbers of the owner(s) and operator(s) of said *shooting range*;
 - (2) Specific location of the *shooting range*;
 - (3) A map or plat of survey of the area to be designated as the *shooting range*;

- (4) A statement that the *shooting range* will be constructed and operated in compliance with “The Range Manual” of the National Rifle Association of America, or its successor;
 - (5) Proof that 75% of the residents within a one mile radius of the proposed shooting range have given written consent to its establishment and/or operation.
 - (6) Proof of general liability insurance coverage with minimum limits of \$1,000,000.00 per occurrence.
- (c) Prior to granting any permit, the Vermilion Parish Police Jury shall hold a public hearing for the purpose of receiving input from the public for the proposed shooting range;
 - (d) After completion of construction, the owner/operator shall certify that the *shooting range* was constructed in compliance with “The Range Manual” of the National Rifle Association of America, or its successor;
 - (e) The owner(s)/operator(s) of *shooting ranges* shall file for renewal permits on an annual basis. The renewal permit shall include the following:
 - (1) The name, address, and phone numbers of the owner(s) and operator(s) of said *shooting range*.
 - (2) Specific location of the *shooting range*.
 - (3) Evidence of general liability insurance coverage with minimum limits of \$1,000,000.00 per occurrence.
 - (4) Evidence that the *shooting range* continues to be operated in compliance with the National Rifle Association of America, or its successor.

Sec. 5. Hours of Operation

A *shooting range* may only be operated between the hours of 9:00 a.m. and 6:00 p.m. Monday through Saturday and between 12:00 Noon and 6:00 p.m. on Sunday.

Sec. 6. Enforcement and penalties.

Any person found to be in violation of this Ordinance shall be subject to a maximum fine of \$500.00 and/or a term of imprisonment of thirty (30) days in the parish jail or both.

Sec. 7. Repeal of conflicting ordinances.

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Sec. 8. Severability

Should any part of this ordinance be declared null, void, invalid, illegal or unconstitutional, the remainder of the said ordinance shall remain in full force and effect.

Sec. 9. Effective date

This ordinance shall become effective upon the signature of the President of the Vermilion Parish Police Jury.

Upon motion of Mr. Mark Poche`, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury approved the issuance of a letter of no objection to Mr. Glenn Hansen, to construct a bulkhead along the Vermilion River on his property.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury approved the request submitted by the Village of Maurice to authorize the Police Jury to pay the quarterly fire protection maintenance program appropriation from the 76 Sales Tax Fund, directly to the Maurice Volunteer Fire Department instead of to the Village of Maurice.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury adopted a speed limit ordinance establishing a 25 mph speed limit on Edwin Road for its entire length.

ORDINANCE

2005-O-20

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 Edwin Road, in Election District No. 2, from Anthony Road to Sidney Gautreaux Road.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 25 mph speed limit on Edwin Road for its entire length; and.

SECTION II: BE IT HEREBY FURTHER ORDAINED, that the appropriate speed limit and "Watch For Children" 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 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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The Police Jury's Legal Counsel, Mr. Paul Moresi, III, presented the Jury with a revised copy of the Shooting Range Ordinance, which was approved in the General Needs Committee Recommendations.

Mr. John Thompson, requested an update on his retirement benefits.

The Police Jury's Interim Secretary-Treasurer, Mr. Michael Bertrand, informed the Jury that Mr. John Thompson wanted to get paid for unused vacation and sick leave when he was laid off (3) three years ago. Mr. Thompson was informed that his sick leave and vacation time was to be added to his retirement, increasing his benefit amount.

Mr. Bertrand informed the Jury that Mr. Linus Touchet will be returning from the Area 2 Road Crew at the end of July.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury approved the change of employment status of Mr. Harris Gaspard from temporary to full time status and assigning him to the Area 2 Road Crew.

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

Interim Secretary-Treasurer

President

