

Police Jury Room
October 2, 2006
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on October 2, 2006, with Acting President Luther "Buster" Hardee, III presiding.

The meeting was called to order by Mr. Hardee, who asked Mr. Hubert J. Faulk to lead the group in the Pledge of Allegiance. Following the pledge, the Acting President asked for a moment of silent prayer or reflection.

The following members were present:

| | | |
|---------------------|---------------------------------|-------------------------|
| Mr. Purvis Abshire | Mr. Hubert Faulk | Mr. Ravis Menard |
| Mr. Minos Broussard | Mr. Gaulman Gaspard | Mr. T. J. Prejean, Jr. |
| Mr. Maxwell Chreene | Mr. Luther "Buster" Hardee, III | Mr. Edval J. Simon, Jr. |
| Mr. Ronald Darby | Mr. David C. Mayard | Mr. Wayne Touchet |
| Mr. Carroll Duhon | | |

Absent: Mr. Mark Poche

The Acting President recognized those persons who had requested time on the agenda to present their business at this time.

Ms. Sharon Kleinpeter with Cox Communications addressed the Jury and handed out a brochure and discussed the changes made by Cox to its programming packages and rates. Ms. Kleinpeter gave a brief history of the company and proceeded to answer questions concerning program changes and rates.

Mr. Luther "Buster" Hardee, III asked Ms. Kleinpeter about senior citizens discounts packages and Mr. Kleinpeter informed the Jury that senior citizens discount is being expanded to the Acadiana area, in the next two weeks Cox will be meeting with the Council on Aging.

Mr. David C. Mayard asked Ms. Kleinpeter about customers being allowed to choose what program channels they want to watch. Ms. Kleinpeter informed the Jury that this choice is called A-La-Cart and is not yet available.

Mr. Richard Primeaux asked Ms. Kleinpeter if there is any truth about bringing the Weather Channel back to basic cable. Ms. Kleinpeter informed the Jury that Cox is having problems bringing it back because of the contract with the Weather Channel.

Mr. Wayne Touchet asked Ms. Kleinpeter about having the Vermilion Parish Police Jury meetings broadcasted like Lafayette and Iberia Parish. Ms. Kleinpeter informed the Jury that no request has ever been made and if one is made, Cox would look at the possibility of doing it.

Mr. Luther "Buster" Hardee, III thanked Ms. Kleinpeter for coming to speak to the Jury.

The Acting President then called on Vermilion Parish Assessor Mike Langlinais. Mr. Langlinais gave a report of the assessment values established for the 2006 Tax Year.

Upon motion of Mr. Carroll Duhon, duly seconded by Mr. David C. Mayard, and unanimously carried, the Police Jury accepted the following assessment valuations for the 2006 Tax year as submitted by Vermilion Parish Assessor Mike Langlinais.

| | <u>2006 Values</u> | <u>2005 Values</u> |
|----------------------|--------------------|--------------------|
| 1. Real Property | 141,606,720 | 137,108,770 |
| 2. Personal Property | <u>128,720,970</u> | <u>113,758,590</u> |
| | 270,327,690 | 250,867,360 |

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury authorized the Secretary/Treasurer to send a letter asking the Louisiana Police Jury Associations to send a letter of support to the Louisiana Tax Commission going on record in support of the pipeline schedules as presented by the Louisiana Assessor's Association for the use of updated costs for the schedules being presented by the Assessors. This will bring uniformity and stabilization where needed and create an accurate Fair Market Value.

The Acting 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 2006 assessment values established by the Assessor's Office.

The Acting President announced that the following are various Oil & Gas Companies protesting the 2006 Tax Assessment as follows:

- a. Cayuse Pipeline, Inc.
- b. Dow Intrastate Gas Company
- c. ANR Pipeline Company
- d. Tennessee Gas Pipeline Company
- e. Southern Natural Gas Company

Mr. Michael Langlinais gave a brief overview why these companies are protesting.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Hubert J. Faulk, and unanimously carried, the Police Jury rejected the protests for the 2006 Tax Assessment by the following companies:

- a. Cayuse Pipeline, Inc.
- b. Dow Intrastate Gas Company
- c. ANR Pipeline Company
- d. Tennessee Gas Pipeline Company
- e. Southern Natural Gas Company

Upon motion of Mr. Purvis Abshire, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the reading of the minutes of the September 18, 2006 meeting, were dispensed with and were accepted.

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

Upon motion of Mr. Ravis Menard, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved the issuance of the following Project Permits:

- (A) Project Permit No. 1440-D to Triumph Energy, Inc., to construct a drill site and board road for the drilling at the Golden Prospect, drill site will be accessed from Bamboo Road, in Election District No. 11.
- (B) Project Permit No. 1441-D to Triumph Energy, Inc., to construct a drill site and board road for the drilling at the West Golden Prospect, drill site will be accessed from Melrose Road, in Election District No. 11.

Upon motion of Mr. Ravis Menard, duly seconded by Mr. Wayne Touchet, and unanimously carried, Police Jury approved the issuance of a "Letter Of No Objection" to Chevron Pipe Line Company to excavate approximately 200-cubic yards of native material to expose the intersection of an existing 4-inch and 6-inch pipeline to install pig gable wye fittings, in Section 30 of T-16-S, R-2-E, located in Election District No. 13.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury authorized the President to declare a State of Emergency for a "Boil Advisory" for the Grand Prairie Subdivision.

**STATE OF EMERGENCY
VERMILION PARISH**

WHEREAS, the Parish of **VERMILION** is presently faced with an emergency due to a “BOIL ADVISORY” for Grand Prairie Subdivision Water System.

WHEREAS, there is a very definite threat to life and property of the citizens of the Parish; and

WHEREAS, such action be taken now;

NOW THEREFORE, Mr. Mark Poche`, President of the Vermilion Parish Police Jury by authority vested in me the Parish Charter and the Louisiana Disaster Act of 1993, do hereby proclaim;

A STATE OF EMERGENCY TO EXIST WITHIN THE, parish and that all Emergency Preparedness Plans and the Parish All Hazard Emergency Operations Plan be activated.

Upon motion of Mr. Maxwell Chreene duly seconded by Mr. David C. Mayard, 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
SEPTEMBER 27, 2006
ABBEVILLE, LOUISIANA

AS A RESULT OF A GENERAL NEEDS COMMITTEE MEETING HELD ON SEPTEMBER 27, 2006, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY’S CONSIDERATION:

1. It is recommended that the Police Jury authorize the Secretary/Treasurer to send a letter to the Louisiana Police Jury Association, asking a representative to come to the next committee meeting to explain any insurance advantages of belonging to the Association.
2. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to stake out the right of way on Clay Road, in Election District No. 2.
3. It is recommended that the Police Jury authorize the Secretary/Treasurer to send a letter to the Louisiana Legislation Delegation thanking them for their support for the FY 2006-2007 State Capital Outlay Grant received relative to the Gueydan Truck By Pass.

4. It is recommended that the Police Jury authorize Legal Counsel to prepare a resolution and to review and advise the Jury on the documents for the proposed subdividing of the property for the following owners, in Election District No. 2:
 - a. Heath Michael Broussard and Rani Primeaux Broussard
 - b. Colby James Richard and Wendy Chauvin Richard
 - c. Brady Joseph Guilbeau and Stephanie Ivcevich Guilbeau
5. It is recommended that the Police Jury ratify payment of Invoice No. 13113 to Frenzel Motors, Inc., in the amount of \$16,599.00 for a 2007 Dodge Pick up Truck, for the Mosquito Control Program.
6. It is recommended that the Police Jury amend the Drug and Alcohol Policy to state “that the Jury will require post accident drug screening, if an injury is involved or if there is property damage which exceeds \$500.00 and that the Supervisor uses his/her own discretion for the determination of the damage.”
7. It is recommended that the Police Jury authorize the President to sign three Cooperative Endeavor Agreements as follows between the Parish and the Dept. of Treasury, State of Louisiana:
 - a. Office of Emergency Preparedness for entombing of bodies for \$200,000
 - b. Vermilion Wetlands Association for a reef and coastal restoration project for \$50,000.
 - c. Pecan Island Fire Department to purchase fire and hurricane equipment for \$5,000.
8. It is recommended that the Police Jury approve to reappoint Mrs. Sandra Vincent to the Pecan Island Waterworks District No. 3 Commission.
9. It is recommended that the Police Jury approve the following invoices from Sellers & Associates, Inc., relative to professional services for various drilling and pipeline permits:
 - a. Invoice No. 1001
Date: 2/6/06
Amount = \$50.00
 - b. Invoice No. 1002
Date: 2/6/06
Amount = \$50.00
 - c. Invoice No. 1035
Date: 6/5/06
Amount = \$56.75

10. It is recommended that the Police Jury deny a claim submitted by Mr. Paul Carroll Faulk relative to a rock which hit his windshield while he was mowing at the Cecil McCrory Exhibition Building, located at the County Agent's Office.
11. It is recommended that the Police Jury approve payment of Invoice No. 6086, to Bayou Fencing and Supply, Inc., in the amount of \$29,737.99, relative to furnishing and installing two-15' gate panels with razor wire on overhead I beam track and truck assembly with one-new Hy-Security Hydraulic gate operator and re-use the existing operator at main vehicle gate entrance, of the Vermilion Parish Law Enforcement Center.
12. It is recommended that the Police Jury approve payment of an Invoice No. 4021, from St. Charles Parish Sheriff's Office, in the amount of \$1,544.91, relative to housing six Vermilion Parish Inmates for the month of August, 2006.

It is further recommended that the Police Jury authorize Legal Counsel to send a letter with the attached check to St. Charles Parish Sheriff's Office, stating that the Police Jury is not binding itself to any rate by making the payment for the housing of Vermilion Parish inmates.

13. It is recommended that the Police Jury approve to adopt an ordinance establishing the placing of "No Littering \$500.00 Fine" signs, on Rice Cove Road and Savoy Road.
14. It is recommended that the Police Jury amend Courthouse/Building Recommendation No. 14 of the September 13, 2006 Committee meeting to read Glenda Landry Paint/Body Shop in lieu of Ray's Complete Auto Body and Wrecker, being that Glenda Landry Paint/Body Shop being the lowest quote, in the amount of \$1,010.88.
15. It is recommended that the Police Jury amend Public Road Committee Recommendation No. 1 of the September 13, 2006 Committee meeting to read to amend the Culvert Policy to read "that the Permit Applicant can install manholes to a maximum distance between manholes of 80' or as needed" and include it on the permit application.
16. It is recommended that the Police Jury approve a 3 course application on Laurent Road located in Road District 1, Election District No. 14, at an estimated cost of \$15,253.75, with the residents along Laurent Road & Road Dist, 1, each pay ½ of the cost.
17. It is recommended that the Police Jury approve to close the Police Jury Offices on October 6, 2006, for the Cattle Festival and the Solid Waste Plant will remain open and the Solid Waste employees will get time and ½ pay.

18. It is recommended that the Police Jury approve payment of Rental Agreement No. D042412, to Enterprise rent-a-car, in the amount of \$459.81, for an accident involving a Police Jury tractor and a pickup truck driven by Mr. Roy Abbott.
19. It is recommended that the Police Jury approve payment of Application No. 2 to CAFCO Construction, LLC, in the amount of \$23,222.71, relative to the New Office for the Solid Waste Plant.
20. It is recommended that the Police Jury approve the grade adjustment of Rabies Animal Control Supervisor, Mr. Keith Sellers from a Grade 12 to Grade 14.

Respectfully submitted,
Maxwell Chreene,
Chairman

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

ORDINANCE

2006-O-30

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of litter exists, which is causing very hazardous conditions, at the intersection of Rice Cove and Savoy Road, in Election District No. 09.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose the following to install a "No Littering \$500.00 Fine" sign along the intersection of Rice Cove and Savoy Road.

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

SECTION III: BE IT HEREBY FURTHER ORDAINED, that for any offense, a maximum fine of \$500.00 fine.

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 littering ordinance.

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Upon motion of Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the issuance of an alcoholic liquor permit for Mr. Dale White, Sr. to sell at his place of business identified as “White’s Specialty Meats”, located at 9407 U. S. Hwy. 167, Abbeville, LA.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury adopting an ordinance regulating arborists in the unincorporated areas of the Parish of Vermilion.

ORDINANCE

2006-O-29

AN ORDINANCE REGULATING ARBORISTS IN THE UNINCORPORATED AREAS OF THE PARISH OF VERMILION

BE IT ORDAINED by the Vermilion Parish Police Jury that there is a need to protect the health and welfare of the citizens of the Parish of Vermilion in regards to the activities of arborists within the unincorporated areas of the Parish of Vermilion.

BE IT FURTHER ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 2nd day of October, 2006, that the Vermilion Parish Police Jury adopts Parish Ordinance No. 2006-O-29 in the following specifics:

Sec. 1. Definitions

An *Arborist* is defined as anyone engaging in the following activities as a business, or for compensation; removal of a tree, or a portion of a tree, or measures designed to prolong the life of a tree, or measures designed to enhance the aesthetic value of a tree.

Sec. 2. Permits Required

A person who presents himself, or advertises as engaging in the *Arborist* profession, shall be required to obtain a permit from the Vermilion Parish Police Jury. Permits must be renewed on an annual basis.

Sec. 3. Permit Criteria

In order to obtain or renew a permit under this Ordinance, the following must be submitted to the Vermilion Parish Police Jury:

1. Name and address of the proposed permittee (*Arborist*).
2. Proof of liability insurance coverage in the amount of not less than \$100,000.00 per occurrence.

3. Proof of the issuance of appropriate license(s) from the State of Louisiana.
4. Proof of obtaining a valid occupational license.

Sec 4. Employees

Each person who holds a permit issued under the provisions of this Ordinance may employ personnel to work under the direct supervision of the permit holder. The permit holder shall give direction and instruction to such personnel and shall be responsible for insuring that the work product of such personnel meets the appropriate professional standards determined by the State of Louisiana.

Sec. 5 Surrender of Permit

A person holding a permit under this Ordinance who no longer holds the appropriate licenses from the State of Louisiana, or no longer holds a valid occupational license, shall immediately notify the Vermilion Parish Police Jury and surrender any permits granted under this Ordinance.

Sec. 6 Removal of Debris

Debris of any kind generated from activities regulated by this Ordinance shall be transported by the Permittee, or his employees, to a licensed solid waste disposal facility.

Sec. 7 Enforcement and penalties.

Anyone who violates the provisions of this ordinance shall be subject to a maximum fine of \$500.00, or a maximum term of imprisonment of 30 days, or both.

Sec. 8. Repeal of conflicting ordinances.

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

Sec. 9. 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. 10. Effective date.

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

Upon motion of Mr. Edval Simon, Jr., duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved the following invoices submitted by Deep South of Louisiana, relative to insurance deductibles for damage claims:

- | | |
|--|---|
| a. Invoice No. MPM765846 Solid Waste – D. Dore Date of Loss: 4/6/06 Amount = \$1,747.39 | b. Invoice No. MPM765865 Solid Waste – D. Dore Date of Loss: 4/6/06 Amount = \$2,500.00 |
| c. Invoice No. MPM766395 Solid Waste – D. Bourgeois Date of Loss: 2/14/06 Amount = \$5,000.00 | d. Invoice No. MPM766769 Mosquito Control – G. Broussard Date of Loss: 7/10/06 Amount = \$5,000.00 |

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury gave final approval to the subdivision development identified as Belle Rose Subdivision, Phase II, located in Election District No. 9.

Upon motion of Mr. Hubert J. Faulk, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury accepted Wardray (Pvt.) Road into the Parish Road System as a private road, in Election District No. 2.

Mr. Maxwell Chreene asked the Secretary/Treasurer if he had an update on the 7th Ward Fire Station. Mr. Menard informed the Jury that Troy LaPorte is still working on the appraisal.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury determined that a considerable increase of heavy vehicles are using Dewberry, Amerada and Avid Road and the Police Jury adopted the following ordinance and imposed a “No Trucks Allowed” zone on said roads from the intersection of La. Hwy. 13 traveling east on Dewberry Road for its entire length, and at the intersection of Dewberry and Amerada Road traveling north until the intersection of Avid Road, traveling east on Avid Road until the intersection of La. Hwy. 699 and that the appropriate signs be installed in said area. “Trucks” are defined as any vehicle weighting more than 14,000 pounds and publicly owned service vehicles and farm trucks are exempted from this ordinance, located in Election District No. 10 and 12.

ORDINANCE

2006-O-31

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of heavy truck traffic exists, which is causing very hazardous conditions, on Dewberry, Amerada and Avid Road, in Election District No. 10 and 12.

WHEREAS, this increase in traffic is causing very hazardous conditions as well as an imposition and abuse; and

WHEREAS, these parish roads and the bridges servicing them are not designed to bear the weight of the vehicles using said roads.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a "No Trucks Allowed" zone on said roads except for farm trucks from the intersection of La. Hwy. 13 traveling east on Dewberry Road for its entire length, and at the intersection of Dewberry and Amerada Road traveling north until the intersection of Avid Road, traveling east on Avid Road until the intersection of La. Hwy. 699

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

"Trucks" are defined as any vehicle weighing more than 14,000 pounds.

Publicly owned service vehicles are exempted for this ordinance.

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 this ordinance by regular patrolling of said roads.

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Mr. Hubert J. Faulk asked about the reburial at Suire Cemetery.

Mr. Eugene Sellers, Sr. with Sellers & Associates, Inc. informed the Jury that bids are scheduled to receive in the middle of October 2006 for the reburial of cemeteries.

Upon motion of Mr. Hubert J. Faulk, duly seconded by Mr. Minos Broussard, and unanimously carried, the Police Jury authorized the Payroll Clerk to pay overtime to the following employees who were scheduled to work the September 30, 2006, Election:

- 1) Mr. Wayne Briggs
- 2) Mr. Terry Bourque
- 3) Mr. Rudy Simon
- 4) Mr. Floyd Broussard
- 5) Mr. Ennis Schexnaider
- 6) Mr. Dennis Lemaire
- 7) Mr. Glenwood Leonard
- 8) Ms. Marilyn Stelly

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury approved to change the Vermilion Parish Police Jury Policies and Procedures- Policy No. 3.07, Part II and III to state as follows:

Part II: POLICY

All Police Jury non exempt employees receive overtime pay for all hours worked over 40 in each 7 day week. All overtime must be approved in advance by a department manager or supervisor.

Part III: PROCEDURE

- B. Vacation days, sick days and holidays are considered part of the 40 hour work period and shall be counted as time worked for the purpose of computation of overtime.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury tabled to discuss the overpayment of employees until the Secretary/Treasurer contacts these employees.

Legal Counsel, Mr. Paul Moresi, III presented a release and wavier document for the President to sign the proposed subdividing of the property for the following owners, in Election District No. 2:

- d. Heath Michael Broussard and Rani Primeaux Broussard
- e. Colby James Richard and Wendy Chauvin Richard
- f. Brady Joseph Guilbeau and Stephanie Ivicovich Guilbeau

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury authorized Legal Counsel to make an “offer of judgment” to Ms. Millie Wilborn in the amount of \$17,500, relative to the Deblanc/Wilborn vs. VPPJ suit.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury authorized the Administrative Office Manager to purchase a 7310 Hewlett Packard Printer/Scanner/Copier/Fax machine from Best Buy, in the amount of \$115.00, for the Solid Waste Facility.

(Ret.) General Robert J. LeBlanc informed the Jury that the exercise held on September 27, 2006 went well, there were 32 people in attendance and the next exercise is scheduled for October 26, 2006 with Iberia Parish.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Gaulman Gaspard, and unanimously carried, there being no further business to be presented, the meeting was duly adjourned.

Secretary-Treasurer

Acting President