

Police Jury Room
September 5, 2006
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on September 5, 2006, with President Mark Poche` presiding.

The meeting was called to order by Mr. Poche`, who asked Mr. Luther "Buster" Hardee, III 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. Hubert Faulk	Mr. Mark Poche`
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	Mr. Ravis Menard	

Absent: None

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

Mr. John Winn addressed the Jury about how the NAACP was formed and why it was formed. Mr. Winn invited the Jurors to the Annual Freedom Banquet, which will be held on November 4, 2006, at 7:00 p.m., at the American Legion Hall, in Abbeville, Louisiana.

President Poche` read the following announcements:

- (1) The Coastal Protection and Restoration Authority will have a meeting on Tuesday, September 19, 2006, from 9:00 a.m. – 2:30 p.m. at the State Capitol in Baton Rouge, Louisiana.
- (2) Lorman Education Services will host a seminar entitled "The Fundamentals of Construction Contracts" to be held on September 22, 2006, at the Best Western Hotel Acadiana in Lafayette, Louisiana.

Upon motion of Mr. Purvis Abshire, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the reading of the minutes of the August 29, 2006 special meeting, were dispensed with and were accepted.

Mr. Ronald Darby asked that the previous minutes of June 5, & 19, 2006, that were published in the Official Journal be corrected and resubmitted at the next Police Jury meeting for the Jury's approval.

Mr. Clay P. Menard stated to the Jury that the mistakes have been corrected and the minutes will be presented at the next Police Jury meeting.

Ms. Liz Girouard, with Sellers & Associates, Inc., informed the Jury that the "Notice of Specification" needs to be published in the Official Journal and asked Legal Counsel if the "Notice Of Closed Specification" can be published separate from the Police Jury minutes for a Boom (Upper-Structure) and Under-Carriage.

Mr. Paul Moresi, III, Legal Counsel stated that it is fine to publish the "Notice Of Closed Specification" separate from the Police Jury minutes.

Upon motion of Mr. Maxwell Chreene, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury authorized Sellers & Associates, Inc. to advertise in the Official Journal the "Notice Of Closed Specification" for a Boom (Upper-Structure) and Under-Carriage.

NOTICE OF CLOSED SPECIFICATION

Pursuant to R.S. 38:2291, the following closed specification report is being submitted to the Vermilion Parish Police Jury for approval.

1. Identification of each closed specification.

Refer to Section III-44.33.3-Detailed Specifications for Equipment, Article 3-Minimum Specifications Description, Item 3 – Under-Carriage and Item 9- Boom. The following is a description of the boom and under-carriage.

Boom (upper-Structure):

Telescope Type Action: length: 12'-6". Tilt: 220-Degrees. Working Height: 23'-10". Tail Swing: 9;-3". Bucket Pivot Angle: 135-Degrees and 165-Degrees. Loading height: 16'-8" with Boom Fully Extended and 12'-4" with Boon Fully Retracted. Boom Rest: Locked Position for Road Travel.

Under-Carriage:

6 x 4. Wheelbase: 171-inches. Width: 102-inches. Gross Vehicle Axle Weight Rating: 60,600-Pounds. Front Axles: 6 x 4: 19,000-Pound Rating: Rear Axle: 46,000-Pound Rating. Single Reduction with Driver Controlled Differential Lock in Front/Rear and Inter-Axle Differential with lock.

2. A concise statement of the reasons for including a closed specification.

The telescoping boom and wheeled configuration of the excavator are specified as such for the following reasons:

- A. Space saving telescoping, tilting boom is engineered for high productivity with attachment adaptor able to tilt and pivot attachments exactly where needed.
 - B. Under-carriage can be repositioned from the upper-structure operator's cab.
 - C. Can be driven to job sites (speeds up to 55-MPH) without the need for a costly lowboy trailer.
 - D. Mobility on the job site.
 - E. No need stabilizers with front axle lockout cylinders (Front: 2-wheels and Rear: 8-wheels).
3. Identification of other products which are apparently equal and a concise statement as to why they may be excluded under the provisions of R.S. 38:2291.
 - John Deere, Wheeled Excavator
 - Case, Wheeled Excavator
 - Hitachi, Wheeled Excavator
 - Caterpillar, Wheeled Excavator
 - Kabelco, Wheeled Excavator

The Vermilion Parish Public Works Department currently owns and operates several wheeled hydraulic excavators with telescoping booms. These wheeled and telescoping boom hydraulic excavators have and continue to provide superior performance, mobility, and service to the standard boom/arm system currently provided by the above manufactures and by previously purchased wheeled excavators.

President Poche` addressed the Jury on the Fire Stations damaged by Hurricane Rita.

Upon motion of Mr. Maxwell Chreene duly seconded by Mr. Minos 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
AUGUST 30, 2006
ABBEVILLE, LOUISIANA

AS A RESULT OF A GENERAL NEEDS COMMITTEE MEETING HELD ON AUGUST 30, 2006, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury authorize Legal Counsel to request an Attorney General's opinion relative to if the Parish can install culverts, provided that the materials (culverts and dirt) are on job site and are furnished by the permit applicant.
2. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to prepare specifications for the purchasing of (3) Model 4100 Gradalls for the next scheduled Police Jury meeting.
3. It is recommended that the Police Jury authorize the Road Supervisor to install "Slippery When Wet" signs near Dozer Elementary School, located off of North Road.
4. It is recommended that the Police Jury approve to retroactive the promotion of Mr. Troy Roy as of August 21, 2006.
5. It is recommended that the Police Jury approve to purchase a HP Slimline Media Center Desktop with AMD Turion – 64 Mobile Technology ML-34 with the warranty, in the amount of \$564.99, for the Rabies Control Facility.
6. It is recommended that the Police Jury authorize the Road Supervisor to purchase a 1,000 gallon fuel tank for the Area I Barn.
7. It is recommended that the Police Jury adopt a resolution of the Jury's support to maintaining the Mermentau Basin as a freshwater basin and opposing a hurricane barrier along the Gulf Intracoastal Waterway (GIWW) from Leland Bowman Locks west to the Calcasieu Locks and supporting a hurricane barrier between La. Hwy. 82 to the Gulf of Mexico.
8. It is recommended that the Police Jury approve the preliminary plans and specifications for the subdivision development identified as Rice Cove Estates, Phase I & II, in Election District No. 9, contingent upon comments by the Parish Engineer.
9. It is recommended that the Police Jury approve the preliminary plans and specifications for the subdivision development identified as Vermilion Lakes, Phase II, in Election District No. 11, contingent upon comments by the Parish Engineer.

10. It is recommended that the Police Jury approve the issuance of the following Project Permits:
 - a) Project Permit No. 1434-P to El Paso Production Company, to furnish and install approximately 4,134 feet of one 8-inch pipeline, beginning at the existing Daniel Ray Picard No. 1 Well, and ending at an existing pipeline for a tie-in, located off of La. Hwy. 82, around Horseshoe Road, in Election District No. 09.
 - b) Project Permit No. 1435-P to El Paso Production Company, to furnish and install within the same trench approximately 3,149 feet of two 3-inch flowline, beginning at the S.L. 540 "A" No. 41 Well and ending at the existing tank battery "A" and furnish and install approximately 1,626 feet of one 2-inch flowline beginning at the newly installed 3-inch flowline and ending at S.L. 540 "D" Well, located in the northwest section of White Lake, in Election District No. 13, contingent upon receiving the correct insurance certificate form.
 - c) Project Permit No. 1436-P to El Paso Production Company, to furnish and install approximately 3,962 feet of one 3-inch flowline, beginning at the existing S.L. 540 "A" Well, and ending at the existing tank battery "A" and furnishing and installing approximately 1,687 feet of one 2-inch flowline beginning at the newly installed 3-inch flowline and ending at an existing platform east of S.L. 540 "A" NO. 42 Well, located, northwest section of White Lake, in Election District No. 13.
11. It is recommended that the Police Jury approve the following Telecommunication Permits:
 - a) Bell South Telecommunications, Inc. to bore approximately 500-feet of 100-pair cable along Highway 335/694, located in Election District No. 13.
 - b) Bell South Telecommunications, Inc. to furnish and install approximately 335 feet of aerial cable along La. Hwy. 689, located in Election District No. 09.
12. It is recommended that the Police Jury approve to take the bids for the 2005 Hurricane Rita Prairie Road Improvements under advisement, pending approval of an updated project worksheet from FEMA.
13. It is recommended that the Police Jury approve Change Order No. 1, in the amount of \$4,850.00, to Glenn Lege Construction, relative to the bridge replacement for Hawk Road.

14. It is recommended that the Police Jury approve Partial Payment No. 1, in the amount of \$27,828.00, to Glenn Lege Construction, relative to the bridge replacement for Hawk Road.
15. It is recommended that the Police Jury approve the following Rabies Control Animal Wardens classifications for Grade adjustments:
 - a) Malinda Sellers Grade 9
 - b) Adam Romero Grade 9
 - c) Daniel Perry Grade 9
 - d) Jimmie Meaux, Sr. Grade 9
16. It is recommended that the Police Jury authorize the Secretary/Treasurer to amend the Parish Culvert Installation Policy that the Police Jury will install culverts for the Permit applicant provided that the materials (culverts and dirt) are on job site and are furnished by the permit applicant.
17. It is recommended that the Police Jury approve to purchase a Class 2 utility pole 55' long from the City of Abbeville to be used to install a siren at the Vermilion Parish Law Enforcement Center. The City of Abbeville will deliver and install the pole for the Vermilion Parish Police Jury.
18. It is recommended that the Police Jury authorize the Secretary/Treasurer to send a letter of support to Acadiana Regional Development District to secure a Brownsfield Job Training Grant, to provide meaningful training opportunities for low-income, unemployed, or disadvantaged persons in Region 4.
19. It is recommended that the Police Jury approve payment of Application No. 1, to CAFCO Construction Co., L.L.C., in the amount of \$11,053.12, relative to the new office for the Vermilion Parish Solid Waste Plant. Cost to be paid from 94' Sales Tax.

Respectfully submitted,
Maxwell Chreene,
Chairman

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

RESOLUTION

2006-R-39

A resolution supporting to maintaining the Mermentau Basin as a freshwater basin and opposing a hurricane barrier along the Gulf Intracoastal Waterway (GIWW)

from Leland Bowman Locks west to the Calcasieu Locks and supporting a hurricane barrier between La. Hwy. 82 to the Gulf of Mexico

WHEREAS, the Vermilion Parish Police Jury is heavily dependent upon the agricultural industry and other businesses that were affected by Hurricane Rita's storm surge; and

WHEREAS, the agricultural industry and other businesses in Vermilion Parish cannot continue to recover, without maintaining the Mermentau Basin as a freshwater basin and a hurricane protection barrier; and

WHEREAS, the Parish recognizes that without a hurricane protection barrier and maintaining the Mermentau Basin as a freshwater basin, all of Vermilion Parish will be affected; and

NOW, THEREFOR, BE IT RESOLVED, by the Vermilion Parish Police Jury that it supports the maintaining the Mermentau Basin as a freshwater basin and opposing a hurricane barrier among the Gulf Intracoastal Waterway (GIWW) from Leland Bowman Locks west to the Calcasieu Locks and supporting a hurricane barrier between La. Hwy. 82 to the Gulf of Mexico.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury ratified the Section 5311 Monthly Activity Report for the month of July, 2006, as submitted by the Vermilion Council on Aging and directed the Secretary/Treasurer to submit the report to the Department of Transportation and Development for reimbursement in accordance with the contract agreement.

Upon motion of Mr. Hubert J. Faulk, duly seconded by Mr. Carroll Duhon, and unanimously carried, the Police Jury approved to ratify a temporary liquor permit for the North Vermilion High School Athletic Booster Club for their Annual Vermilion Parish Cajun Cook-Off, to be held on October 13, 14 & 15, 2006, at the Vermilion Driving Range, 7611 U.S. Hwy. 167, Abbeville, LA., at which time alcoholic beverages will be sold.

Mr. Tim Creswell informed the Jury that the Coastal Protection and Restoration Authority will hold a meeting at the Vermilion Parish Library on September 28, 2006, at 6:00 p.m., and they will be discussing hurricane protection heading towards the west.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury accepted Avery Mitchell (Pvt.) Drive into the Parish Road System as a private road, in Election District No. 3.

Upon motion of Mr. Ravis Menard, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury accepted Theonis (Pvt.) Road and Carma (Pvt.) Road into the Parish Road System as a private road, in Election District No. 11.

Upon motion of Mr. T. J. Prejean, Jr., duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury accepted D. H. Broussard (Pvt.) Road into the Parish Road System as a private road, in Election District No. 6.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. Hubert J. Faulk, and unanimously carried, the Police Jury accepted Mallard (Pvt.) Road into the Parish Road Maintenance System as a public road, in Election District No. 14.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury approved the reappointed of Mr. Lawrence Broussard to the Vermilion Parish Library Board of Control for another 5 year term.

Upon motion of Mr. Gaulman Gaspard, duly seconded by Mr. David C. Mayard, and unanimously carried, the Police Jury adopted a resolution of the National Incident Management System (NIMS) which will be used to respond to parish emergencies.

RESOLUTION

2006-R-40

Adoption of the National Incident Management System (NIMS) by the Vermilion Parish Police Jury

BE IT RESOLVED, by the Vermilion Parish Police Jury as follows:

WHEREAS, at the request of the President, the Department of Homeland Security has developed the National Incident Management System (NIMS) for the purpose of unifying and coordinating all emergency responders' efforts during disasters; and

WHEREAS, the Department of Homeland Security has directed all Federal, State, Territorial, Tribal and local entities involved in emergency response to adopt NIMS; and

WHEREAS, THE Governor of the State of Louisiana has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in the State of Louisiana; and

WHEREAS, the NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size, or complexity, including catastrophic acts of terrorism and natural disasters; and

WHEREAS, Vermilion Parish Police Jury recognizes the need for a single Incident Management System to be used by all local agencies and disciplines;

NOW, THEREFOR, BE IT RESOLVED, by the Vermilion Parish Police Jury adopts the National Incident Management System. That this system will be used at all incidents and drills, taught in all of Vermilion Parish Police Jury - Office of Homeland Security/ Office of Emergency Preparedness training courses, and reflected in all Vermilion Parish

Police Jury emergency mitigation, preparedness, response and recovery plans and programs.

Mr. Clay P. Menard, Secretary/Treasurer informed the Jury that Mr. Wayne Trahan has declined the job offer with the Vermilion Parish Police Jury.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury authorized the Secretary/Treasurer to send a letter of appreciation to U. S. Senator David Vitter for coming to Vermilion Parish and listening to the concerns of the residents, relative to Hurricane Rita.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved to adopt an amendment to Ordinance 2001-O-17 Regulating Traffic on Parish Roads.

AMENDMENT TO
ORDINANCE
2001-0-17

AN ORDINANCE AMENDING ORDINANCE 2001-0-17 REGULATING TRAFFIC ON PARISH ROADS

BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 5TH day of September, 2006, that the Vermilion Parish Police Jury hereby amends the Parish Ordinance No. 2001-0-17 relative to establishing guidelines for parking, and for the maximum load limits, pertaining to vehicles operating on parish roads in the Parish of Vermilion.

BE IT FURTHER ORDAINED that the Vermilion Parish Police Jury desires to amend the title of this Ordinance, and that said title shall be “An Ordinance Regulating Traffic on Parish Roads”.

BE IT FURTHER ORDAINED that it is the desire of the Vermilion Parish Police Jury to amend Ordinance No. 2001-0-17 to have SECTION 2 read as follows:

SECTION 2.

A. Except as otherwise provided herein, all vehicles are prohibited from parking on parish roads and parish road rights-of-way, including but not limited to parish roads and parish road rights-of-way located within recognized subdivisions of the Parish of Vermilion, Louisiana.

B. Municipal and Parish utility and service vehicles, farm vehicles while engaged in agricultural activities and properly flagged, church services, funeral services, and vehicles engaged in brief loading and unloading are exempt from Section 2A of this Ordinance.

BE IT FURTHER ORDAINED that all other provisions of Ordinance No. 2001-0-17, as amended, shall remain the same.

This amendment having been submitted in writing, having been read and adopted at a public meeting of the Police Jury of the Parish of Vermilion, State of Louisiana, was then submitted to an official vote as a whole, the vote was thereon being as follows:

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

NAYS:

ABSENT: NONE

Legal Counsel, Mr. Paul Moresi, III informed the Jury that he is still looking into an ordinance dealing with trees being cut in the Parish and contractors placing the trees into the right-of-ways.

Mr. Moresi also gave an update on the boundary dispute between Lafayette/Vermilion Parish.

Mr. Moresi also addressed the Jury about installing driveway culverts for private individuals.

Mr. Ronald Darby informed the Jury that Mayor Mark Piazza with the City of Abbeville will have a Prayer Breakfast on September 16, 2006, at 7:30 a.m. at the St. Theresa Holy Family Center.

President Poche` stated that the Jurors have a copy of the invitation for the Prayer Breakfast in their boxes.

Mr. Purvis Abshire asked about the Tractor in Area 4 that was wrecked. Mr. Abshire asked if the tractor has been repaired.

Road Supervisor, Mr. Dudley Broussard informed the Jury that the insurance representative came and look at the tractor, waiting on insurance approval.

The Jurors discussed when machinery and men are needed and not being used in one area, they will help Area 4 out.

Mr. Maxwell Chreene asked Road Supervisor if the work will begin on Hawk Road tomorrow.

Mr. Dudley Broussard informed Mr. Chreene that he is waiting for a reply from Glenn Lege Construction when they will start.

Upon motion of Mr. Luther "Buster" Hardee, III, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury adopted an ordinance establishing a 35 mph speed limit on Burnell Road, from La. Hwy. 92 traveling east for 1,500 feet, in Election District No. 14.

ORDINANCE

2006-O-26

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 Burnell Road, in Election District No. 14.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 35 mph speed limit on Burnell Road from La. Hwy. 92 traveling east 1,500 feet.

SECTION II: BE IT HEREBY FURTHER ORDAINED, that the appropriate speed limit sign 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.

* * * * *

President Poche` would like to have a Cox Communication Representative come to the next Police Jury meeting to explain the new programming schedule.

Upon motion of Mr. Minos Broussard, duly seconded by Mr. Purvis Abshire, and unanimously carried, the Police Jury authorized the Secretary/Treasurer to send a letter to Cox Communications requesting a Cox Communication Representative come to the next Police Jury meeting to explain the new programming schedule.

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

Secretary-Treasurer

President