

Police Jury Room
July 2, 2007
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on July 2, 2007, with 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 President asked for a moment of silent prayer or reflection.

The following members were present:

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

Absent: Mr. Mark Poche'

President Luther "Buster" Hardee, III asked if there are any additions or changes to the agenda.

Upon motion by Mr. Minos Broussard, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the Police Jury authorized additions/changes to the agenda to allow (Ret.) General Robert LeBlanc to address the Jury.

(Ret.) General LeBlanc addressed the Jury in regards to the Army Corps of Engineers Coastal Restoration Plan.

General LeBlanc explained to the Jury that the Corps of Engineers' plan extended from the tip of Texas to Cameron and from Creole to Pecan Island. The plan calls for a permanent evacuation/relocation of residential areas along Louisiana Highway 82. It would be necessary for all living along Louisiana Highway 82 to either elevate their properties or relocate. Intracoastal City and Cameron would have to flood proof their cities. The plan also calls for ring levees to be placed around Lake Charles, Gueydan and Kaplan, with expansion of these ring levees at a later date. The Corps of Engineers has also proposed constructing a levee around Intracoastal City at a later date. Further, they have proposed relocating Louisiana Highway 82 to the south, placing it even deeper into the flood zone.

General LeBlanc stated he was very frustrated with the Corps' plan, however, the State of Louisiana had also proposed a Coastal Restoration Plan that was much more friendly to Coastal Louisiana. After a lengthy discussion, the Police Jury decided to meet with officials from Cameron Parish, Acadia Parish and Calcasieu Parish to discuss

their opposition to the Corps of Engineers' Coastal Restoration Plan. It was also decided to send a letter to the Congressional Delegation, the Louisiana Delegation and the Governor to express their objection to the Corps of Engineers' Coastal Restoration Plan and their support for the State of Louisiana's Coastal Restoration Plan.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the reading of the following announcements were dispensed with and were accepted:

1. Received the 2007/2008 Operating Budget for the Vermilion Parish Clerk of Court Office which will be kept on file.
2. Received the Financial Audit Report for Fiscal Year 2006 from Consolidated Gravity Drainage District No. 2-A, which will be kept on file.
3. Received the Financial Audit Report for Fiscal Year 2006 from Gravity Drainage District No. 2, which will be kept on file.
4. Received the Financial Audit Report for Fiscal Year 2006 from Coulee Des Jons Drainage District, which will be kept on file.
5. Received the Financial Audit Report for Fiscal Year 2006 from Coulee Baton Gravity Drainage District No. 1, which will be kept on file.
6. Received the Financial Audit Report for Fiscal Year 2006 from Isle Marrone Gravity Drainage District No. 1, which will be kept on file.
7. Received the Financial Audit Report for Fiscal Year 2006 from Seventh Ward Gravity Drainage District No. 2, which will be kept on file.
8. Received the Financial Audit Report for Fiscal Year 2006 from Coulee Kinney Drainage District, which will be kept on file.
9. Received the Financial Audit Report for Fiscal Year 2006 from Prairie Gregg Gravity Drainage District and Sub-Drainage District No. 2, which will be kept on file.
10. Received the Financial Audit Report for Fiscal Year 2006 from Abbeville Harbor and Terminal District, which will be kept on file.

Upon motion by Mr. Hubert J. Faulk, duly seconded by Mr. Gaulman Gaspard, and unanimously carried, the reading of the minutes of the June 18, 2007 meeting were dispensed with and were accepted.

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

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the issuance of the following Letters of No Objection:

- (A) Applicant – Motivaitit Seafoods, LLC to construct a timber bulkhead and to dredge to allow oyster boats to dock and unload, located in Section 87 of T-14-S, R-3-E, west of the Vermilion River, in Election District No. 9.
- (B) Applicant – Chevron Pipe Line Co. to repair an existing 8-inch pipeline, located in Section 24 of T-15-S, R-1-E, approximately 10.2 miles northeast of Pecan Island, in Election District No. 13.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved the issuance of the following Project Permits:

- (A) Permit No. 1398-D – McMoran Oil and Gas, LLC to transfer ownership of well to El Paso E & P Company, LP, located in Election District No. 13, contingent upon the emergency plan being approved by the Vermilion Parish Homeland Security/Office of Emergency Preparedness.
- (B) Permit No. 1484-WL – Waterworks District No. 1 to furnish, install, and maintain 3-inch and 4-inch PVC water lines to serve the Cow Island Area Residents, in Election District Nos. 11, 12 and 13.
- (C) Permit No. 1485-D – Manti Operating Corporation to furnish, install, and maintain the Grand Volle’ Prospect Well, located in Election District No. 13, contingent upon the emergency plan being approved by the Vermilion Parish Homeland Security/Office of Emergency Preparedness.
- (D) Permit No. 1486-D – Petrogulf Corporation to furnish, install, and maintain the Edward Dartez, et al Well, located in Election District No. 10, contingent upon the emergency plan being approved by the Vermilion Parish Homeland Security/Office of Emergency Preparedness.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. David C. Mayard, with Juror Wayne Touchet abstaining, the Police Jury approved amending the General Needs Committee Recommendations to add, “It is recommended that the Police Jury approve amending Section R106.1 (Exceptions) of the Vermilion Parish Administrative Chapter for Building Codes to read, “The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code or if the total square footage of the home *or residential structure* is 1,800 square feet or less or when plans have been stamped by a Louisiana licensed engineer or architect.”

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 amended, and the appropriate officials of the Jury were authorized to carry out the recommendations.

GENERAL NEEDS COMMITTEE
JUNE 27, 2007
ABBEVILLE, LOUISIANA

AS A RESULT OF A GENERAL NEEDS COMMITTEE MEETING HELD ON JUNE 27, 2007, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury authorize the Parish Engineer and Legal Counsel to investigate the matter concerning Alwood Road and to settle any dispute concerning Alwood Road.
2. It is recommended that the Police Jury authorize the Parish Road Supervisor to remove the jars located west of 14124 Cheneau Road and replace them with larger jars to improve the flow of water in the ditches, in Election District No. 2.
3. It is recommended that the Police Jury authorize the Parish Road Supervisor to place "NO FISHING" signs on Rosewood Road, at the first cement bridge north of Mahogany Road, in Election District No. 10.
4. It is recommended that the Police Jury approve Contract Change Order No. 1, in the amount of \$4,488,045.27, to Glenn Lege Construction, Inc for the "2006-2007 Capital Improvements Program – Street Improvements". Change Order reflects an increase within the project, in the amount of \$481,220.02.
5. It is recommended that the Police Jury approve holding the Annual Household Hazardous Waste Collection Day on Saturday, November 10, 2007.
6. It is recommended that the Police Jury table the issue of licensed herbicide sprayers contingent upon the Administrator/Secretary-Treasurer and the President meet with Mr. Rick Bayhi with Vegetation Management Consultants.
7. It is recommended that the Police Jury approve closing the Building Permit Department on Thursdays from 12:00 p.m. to 4:30 p.m. in order to allow Ms. Stella Lejeune time to catch up on paperwork.
8. It is recommended that the Police Jury adopt a resolution requesting financial assistance from the State of Louisiana under the Fiscal Year 2007-2008 Louisiana Government Assistance Program and that the monies received be applied to the purchase of furniture for the new Vermilion Parish Community Center.

9. It is recommended that the Police Jury award the only bid received from Frenzel Motors, Inc., in the amount of \$54,305.39, for the “5-Cubic Yard Dump Truck (Non-CDL) for the Public Works Department” for the Area II Barn.
10. It is recommended that the Police Jury refer the matter of Circle H (Pvt) Drive to the director of the Vermilion Parish 911 Communication District requesting another name be submitted.
11. It is recommended that the Police Jury reappoint the following to the Fire Protection District No. 7:

1. Lee Bordelon	2 years	06/21/2009
2. Essay J. Hebert, Jr.	2 years	06/21/2009
3. John Edwin Hebert	2 years	06/21/2009
12. It is recommended that the Police Jury approve payment of an invoice submitted by the Town of Erath, in the amount of \$7,500.00, relative to the improvements on Old Railroad Road, for the “2006-2007 Capital Improvements Program – Street Improvements”, in Election District No. 6.
13. It is recommended that the Police Jury approve hiring Mr. Edwin Renard to the Area II Barn as a CDL Driver, Grade 10.
14. It is recommended that the Police Jury approve promoting Mr. Lorphea Broussard as Area III Foreman, at a Grade 14, replacing Mr. Nathan LeMaire.
15. It is recommended that the Police Jury extend the granting of a variance from the Parish Flood Ordinance to Maxie Pierce’s Grocery Store and Young’s Grocery, Inc., to allow building permits to be issued for temporary buildings to be placed at the site where new construction of the stores will be done. When the new buildings are complete, the variance on the temporary buildings will no longer be valid and the temporary buildings have to be removed from the site. The variances are being granted due to the stores beings affected by Hurricane Rita.
16. It is recommended that the Police Jury approve the Vermilion Parish Long Term Community Recovery Program Plan Infrastructure Projects and adopt a resolution and submit a copy to the Louisiana Recovery Authority (LRA).
17. It is recommended that the Police Jury disclaim any public need and right-of-way, easement, or road dedication which may have been actually or tacitly dedicated to the Police Jury of the lands identified in Section 26, Township 11, Range 4 East of land owned by Verna Arceneaux Family.
18. It is recommended that the Police Jury approve providing the Council on Aging a matching \$9,000 towards the purchase of a new handicapped van. Funds to be allocated from General Fund.

19. It is recommended that the Police Jury approve advertising to hiring a custodian to take care of the Public Works Building and the Vermilion Parish Health Unit.
20. It is recommended that the Police Jury quit-claim the property in return for the tax debtor paying all the back taxes, interest and penalties due.
21. It is recommended that the Police Jury approve amending Section R105.2.2 of the Vermilion Parish Administrative Chapter for Building Codes to read “Application or notice to the building official is not required for ordinary repairs to structures, re-roofing, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles *and those repairs costing less than \$7,500.00.*”
22. It is recommended that the Police Jury approve a grade/level change for Wendell Hargrave, Maintenance Supervisor, from a Grade 9 to a Grade 11, Step 27.

Respectfully submitted,
Mark Poche`,
Chairman

AMENDED AS FOLLOWS:

Include the following item: It is recommended that the Police Jury approve amending Section R106.1 (Exceptions) of the Vermilion Parish Administrative Chapter for Building Codes to read, “The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code or if the total square footage of the home *or residential structure* is 1,800 square feet or less or when plans have been stamped by a Louisiana licensed engineer or architect.”

**RESOLUTION
2007-R-23**

**A RESOLUTION REQUESTING FINANCIAL ASSISTANCE
FROM THE STATE OF LOUISIANA
UNDER THE FISCAL YEAR 2007-2008
LOUISIANA GOVERNMENT ASSISTANCE PROGRAM**

WHEREAS, the Louisiana Office of Community Development has announced that applications are being accepted for the Fiscal Year 2007-2008 Louisiana Government Assistance Program; and

WHEREAS, the Louisiana Government Assistance Program offers grants to eligible municipalities and parishes for a wide range of projects to improve public health, public safety, living conditions and for economic development purposes; and

WHEREAS, the Police Jury is eligible for a grant up to \$100,000.00; and

WHEREAS, it is deemed necessary and proper for the Police Jury to submit an application to the Office of Community Development under the Local Government Assistance Program.

NOW THEREFORE BE IT RESOLVED by the Vermilion Parish Police Jury that the Honorable Luther “Buster” Hardee, III, President of the Vermilion Parish Police Jury, is hereby authorized to sign and submit an application to the State of Louisiana, Office of Community Development under the Fiscal Year 2007-2008 Local Government Assistance Program.

THEREUPON, the above resolution was declared adopted.

**RESOLUTION
2007-R-24**

**Requesting Financial Assistance from the
Long Term Community Recovery Program.**

WHEREAS, the Louisiana Recovery Authority has made available \$200,000,000 infrastructure funds for the Long Term Community Recovery Program; and,

WHEREAS, the Vermilion Parish Police Jury has been awarded a portion of the funds for the recovery program within Vermilion Parish; and

WHEREAS, the Vermilion Parish Police Jury has in place a parish-wide hazard mitigation plan which identifies community recovery projects; and

WHEREAS, the Vermilion Parish Office of Emergency Preparedness has also identified recovery projects; and

WHEREAS, the Vermilion Parish Police Jury has combined all the above mentioned resources and has adopted the attached listing of short term and long term recovery projects by Municipality and Parish as the Parish's Community Recovery Program, dated September 24, 2005 and Amended, May 23, 2007; and

WHEREAS, the Vermilion Parish Police Jury together with each public municipality within the Parish has identified projects from the Community Recovery Program as listed below to be funded from the Parish's allocation of the Louisiana Recovery Authority Infrastructure Funds:

Public Body	Priority	Description	Budget	% of Total
Gueydan	1	Improvements to Levee System and Drainage	\$ 54,805	2.50%
Kaplan	1	Repair, lining and/or encasement of damaged sewer lines	\$ 82,208	3.75%
Abbeville	1	Drainage Improvements on Frank's Alley from Gertrude to John Hardy Drive	\$ 219,222	10.0%
	2	Water Treatment Plant Improvements – Lime Treatment Unit, etc.		
Maurice	1	Chief H. Fred Street Drainage Improvements	\$ 38,364	1.75%
Erath	1	Street Improvements	\$ 438,443	20.00%
	2	Upgrade Police & Fire Station		
Delcambre	1	Street Improvements	\$ 219,222	10.00%
	2	Water Treatment Plant Mitigation for Floodproofing		
VPPJ	1	Road Improvements	\$1,139,952	52.00%
TOTAL			\$2,192,216	100.00%

NOW, THEREFORE, BE IT RESOLVED by the Vermilion Parish Police Jury is requesting the approval of these projects to be funded by the Louisiana Recovery Authority's Long Term Community Recovery Program.

THEREUPON, the above resolution was declared adopted.

Upon motion by Mr. Minos Broussard, duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury authorized the President to sign and enter into an

Intergovernmental Agreement with the Vermilion Parish Sheriff's Department relative to the installation and maintenance of an internal security monitoring and recording system in the Vermilion Parish Correctional Center.

Mr. Chris P. Theriot., Administrator/Secretary-Treasurer presented various items for the Police Jury's consideration.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved payment of the following invoices submitted relative to the Vermilion Parish Police Jury FY '05 LCDBG-DR Water System Improvements – Cow Island Area:

1. Bihm Construction, Inc.	Partial Payment No. 3	\$151,146.35
2. Sellers & Associates, Inc.	Invoice No. 10101	\$ 3,511.92
3. Sellers & Associates, Inc.	Invoice No. 10102	\$ 7,431.66
4. Minvielle & Associates, Inc.	Invoice No. 1498	\$ 3,645.00

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved payment to Ray Chevrolet Olds, in the amount of \$1,232.86, with an additional \$50.00, totaling \$1,282.86, relative to the lowest bid received to repair Ms. Dawn Pentz's vehicle.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury authorized hiring Ms. Amanda Choate as a temporary part-time employee in the Administrative Office, as a Grade 7.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved issuing an Act of Disclaimer relative to the ownership of minerals below Ellis Bridge Road for that portion of the road located in Section 28, T-12-S, R-2-W.

Upon motion by Mr. Maxwell Chreene, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the Police Jury approved the award of the contract for the 2006-2007 Vegetative Planting Project to Erosion Control Services, being the lowest of the following bids received on June 29, 2007:

1. Erosion Control Services	\$1.95 per plug
2. Black Lake Marsh, Inc.	\$2.19 per plug
3. Stream Wetland Services, LLC	\$2.75 per plug

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved a reclassification for Ms. Carolyn Bessard, Office Manager, from a Grade 12 to a Grade 13, Step 27.

Upon motion by Mr. Gaulman Gaspard, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury approved payment to Ferrara Fire Apparatus, Inc., in the amount of \$518.82, relative to damages sustained by the Little Chapel Fire Department truck.

Upon motion by Mr. Hubert J. Faulk, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved sending a letter to Mr. Percy Pigron relative to the findings by the Vermilion Parish Board of Health for the complaint lodged against Mr. Murray Romero, 2755 Lloyd Road, Abbeville.

Mr. Theriot informed the Jury that Mr. Raywood Faulk is interested in property owned by the Police Jury. Mr. Paul Moresi, III, Legal Counsel, explained that Mr. Faulk had been in to see him in the fall of 2006, requesting help in contacting the owners in order to purchase the property. No contact was made with the owner of record for the property. Mr. Faulk again today spoke with Mr. Moresi, stating that he would ask the Police Jury to quiet the title for the property so that he could purchase the property. Mr. Moresi explained to Mr. Faulk he would need to inform the Police Jury of the legal work that he had performed for Mr. Faulk regarding the property. He further explained that he did not think the Police Jury would be willing to spend the money to quiet the title, and even should they wish to file the lawsuit to quiet the title, they could not make a private sale, but would have to do a bid process in order to sell the property.

Mr. Moresi suggested he write a letter to Mr. Faulk explaining that since he is Legal Counsel for the Police Jury, he would not be able to assist Mr. Faulk any further regarding this matter.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury adopted a resolution supporting the Weeks Island Project to the Army Corps of Engineers.

RESOLUTION

2007-R-21

Resolution supporting the Weeks Island Project.

WHEREAS, the Vermilion Parish Police Jury has a commitment to Vermilion Parish; and

WHEREAS, the Weeks Island Project is located within Vermilion Parish and vital to the future of Vermilion Parish,

NOW, THEREFORE, BE IT RESOLVED, by the Vermilion Parish Police Jury that they are in complete support with any and all endeavors by the Weeks Island Project.

Upon motion by Mr. Carroll Duhon, duly seconded by Mr. Maxwell Chreene, and unanimously carried, the Police Jury adopted a resolution thanking Donald Gormont, Head of N.R.C.S. in New Orleans for his support of the wetlands of Vermilion Parish.

RESOLUTION

2007-R-22

Resolution thanking Mr. Donald Gohmert.

WHEREAS, the Vermilion Parish Police Jury has a commitment to Vermilion Parish and the wetlands contained therein; and

WHEREAS, Mr. Donald Gohmert has been tireless in his support for the wetlands of Vermilion Parish,

NOW, THEREFORE, BE IT RESOLVED, by the Vermilion Parish Police Jury that they resolve to recognize, commend and thank Mr. Gohmert for his support.

Upon motion by Mr. Gaulman Gaspard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved transferring Mr. Ashley Broussard from the Solid Waste Department to the Area III Barn as a Mower Operator.

Mr. Paul Moresi, III, Legal Counsel, presented various items for the Police Jury's consideration.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Ravis Menard, and unanimously carried, the Police Jury authorized Legal Counsel to send a letter to 2218 Perry Drive in Mont Blanc Subdivision in regards to a complaint of tall grass.

Upon motion by Mr. Maxwell Chreene, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, the Police Jury authorized the Administrator/Secretary-Treasurer to sign the quit-claim deed for the property located at Lot 1, Block 4 of Chavin Addition (Assessment No. RA625105, Adjudicated Entry No. 20407421).

Mr. Moresi informed the Jury that he had received a letter from the State of Louisiana NAACP which included a public records request for information in regards to Fair Housing, HUD and CDBG information. Mr. Moresi will respond accordingly.

Mr. Moresi stated that he had met with Vermilion Parish Sheriff Mike Couvillon in regards to expenses at the Vermilion Parish Correctional Center. Mr. Moresi plans to meet with Michael J. Bertrand, former Secretary/Treasurer of the Police Jury, in regards to billing for cooks, prisoner transports and officer salaries.

Mr. David C. Mayard requested Legal Counsel keep the Jury informed in regards to the proposed Regional Planning Commission.

Upon motion by Mr. Gaulman Gaspard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved promoting Mr. Leroy Hebert to the position of Assistant Foreman, replacing Mr. Lorphea Broussard, at the Area III barn.

Upon motion by Mr. Carroll Duhon, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury authorized Legal Counsel to draft a demolition plan for abandoned homes in the Parish.

Upon motion by Mr. Hubert J. Faulk, duly seconded by Mr. Edval Simon, Jr., and unanimously carried, there being no further business to be presented, the meeting was duly adjourned.

Administrator/Secretary-Treasurer

President