

Police Jury Room
May 5, 2008
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on May 5, 2008, with President Gerald Butaud presiding.

The meeting was called to order by Mr. Butaud, who asked Mr. Mark Poche` to lead the group in the Pledge of Allegiance. Following the pledge, the President asked for a moment of silent prayer or reflection. The President then reminded all present to turn all cell phones, pagers, etc. off or set to silent mode for the duration of the Police Jury meeting.

The following members were present:

Mr. Dane Hebert	Mr. Gerald Butaud
Mr. Nathan Granger	Mr. Ronald Menard
Mr. Ronald Darby	Mr. Pervis Gaspard
Mr. Wayne Touchet	Mr. Cloris J. Boudreaux
Mr. Mark Poche'	Mr. T. J. Prejean, Jr.
Mr. Chris Beraud	Mr. Leon Broussard
Mr. Errol J. Domingues	

Absent: Mr. Keith Meaux

Upon motion by Mr. Chris Beraud, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury authorized additions/changes to the agenda to allow Mr. Alfred Vincent and Mr. Marc Creswell to address the Jury.

President Butaud read the proclamation from Governor Bobby Jindal's proclaiming April 27, 2008 through May 3, 2008 as "Louisiana Volunteers for Family and Community, Inc. Week" in Vermilion Parish and asked for a motion to proclaim April 27 through May 3, 2008 as "Louisiana Volunteers for Family and Community, Inc. Week" in Vermilion Parish.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury proclaimed April 27 through May 3, 2008 as "Louisiana Volunteers for Family and Community, Inc. Week" in Vermilion Parish.

PROCLAMATION

WHEREAS, the mission of the Louisiana Volunteers for Family and Community, Inc., is to strengthen individuals, family, and communities through education, leadership and action; and

WHEREAS, the family is the core of society and contributes to the development of the value system; and

WHEREAS, individuals can foster communication, love and understanding within their families and therefore strengthen communities; and

WHEREAS, the members of this group are invaluable in the time volunteered promoting their mission through unselfish deeds;

NOW THEREFORE, I, Bobby Jindal, Governor of the State of Louisiana, do hereby proclaim the week of April 27th – May 3rd, 2008 as

LOUISIANA VOLUNTEERS FOR FAMILY AND COMMUNITY, INC. WEEK in the State of Louisiana.

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President Butaud recognized Mr. Lonnie Bewley with Foley and Judell, LLP to present any business he had to the Jury.

Mr. Bewley stated that he wished to inform the Jury about the creation of a Vermilion Parish Levee District or a Hurricane Flood Protection and Drainage District.

Mr. Bewley informed the Jury that levee districts were created to provide flood protection along river and low-lying areas, encompassing alluvial lands. Mr. Bewley stated that in the past, the Louisiana Legislature had created numerous levee districts which contained within their boundaries a portion of the territory contained within a number of Parishes and a few that have boundaries coextensive with the boundaries of another parish such as Terrebonne Parish and St. Mary Parish.

Mr. Bewley stated that, prior to January 1, 2006, levee districts were given the authority to levy annually an ad valorem tax up to five (5) mills without voter approval on all taxable property situated within the alluvial portions of such districts subject to overflow. After January 1, 2006, levee districts do not have the authority to levy ad valorem taxes without voter approval. Mr. Bewley further stated that the governing authority of a levee district is appointed or elected from among residents of the district, as provided in the act creating such district.

Mr. Bewley also informed the Jury that levee districts do not have the authority to vote and issue general obligation bonds, or to levy sales and use taxes which may be funded into bonds without special legislation. They may, however, levy taxes on all taxable property within the district sufficient to pay for property used or destroyed to be used solely within the district where collected. Also, levee districts have the authority to appropriate property before payment (Quick-Take Powers).

Mr. Bewley stated that under the provisions of R.S. 39:562(N), the governing authority of any parish that requires the construction of pump and levee drainage systems to drain its territory may create a Parishwide Hurricane Flood Protection and Drainage District, and vote and issue general obligation bonds to construct and improve levees and gravity and forced drainage works for such purposes.

Mr. Bewley further stated that a Hurricane Flood Protection District can levy ad valorem taxes to fund its operations or to make improvements to its facilities. The governing body of the Parish may also designate the Hurricane Flood Protection District as a sales tax district and, subject to voter approval, such district can levy a sales and use tax to fund its lawful purposes.

Mr. Bewley stated that he would recommend the Jury create a Hurricane Flood Protection District, as there are a number of underlying Drainage Districts already in the Parish. Mr. Bewley also stated that the act creating a Hurricane Flood Protection District specifically provide that the Hurricane Flood Protection District would have no power to interfere with the local drainage issues now being carried out by the existing Drainage Districts, and their main purpose would be to deal with hurricane flood protection and anything done in connection with the local drainage systems would only be done through an intergovernmental agreement between the two. This would eliminate a conflict between the Hurricane Flood Protection District and the local Drainage Districts.

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury authorized Mr. Lonnie Bewley with Foley and Judell, LLC to draft the charter for a Vermilion Parish Hurricane Flood Protection District and to present such to the Jury for their review when it is completed.

Mr. Bewley requested a motion to adopt a resolution to approve holding an election in Hospital Service District No. 2 of the Parish of Vermilion, State of Louisiana, on Saturday, July 19, 2008, to authorize the levy of a sales and use tax therein.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury adopted a resolution approving the holding of an election in Hospital Sales Tax District No. 2 of the Parish of Vermilion, State of Louisiana, on Saturday, July 19, 2008, to authorize the levy of a sales and use tax therein.

President Butaud recognized Mr. Alfred Vincent to present any business he had to the Jury.

Mr. Vincent thanked the Jury for their time and stated that he wished to speak to the Jury regarding the proposed Multi-purpose arena. Mr. Vincent stated that a multi-purpose arena is desperately needed in Vermilion Parish to accommodate the horsemen, and all residents of Vermilion Parish. Mr. Vincent provided the Jury with the following statistics:

- In Louisiana, 60,000 individuals own 200,000 horses.
- Of this 200,000, 10% are race horses, 20% are show/competition animals and 70% are recreational animals.
- The estimated total impact on the show and competition horses (roping, cutting, etc.) in Louisiana is \$100.1 million dollars.
- The estimated total impact on recreational horses in Louisiana \$116 billion dollars.
- The estimated total expenditures for the horse industry in Louisiana is \$1.4 billion dollars.
- The total impact of the horse industry in Louisiana alone is \$2.4 billion dollars per year.

Mr. Errol J. Domingues informed Mr. Vincent that there are plans in the works to extend the 4-H facility to accommodate the Vermilion Parish 4-H program. This extension could, conceivably, fit the requirements that Mr. Vincent and other members of the community are asking for. Mr. Domingues informed the Jury that there is a Building Committee meeting on Wednesday, May 7, 2008 to discuss the proposed extension. Mr. Domingues suggested that Mr.

Vincent attend these meetings to voice his opinions regarding the needs of the local horsemen in Vermilion Parish.

President Butaud recognized Mr. Marc Creswell, Air-Med Operations Manager for Acadian Ambulance, to present any business he had to the Jury.

Mr. Creswell informed the Jury that he wished to invite them to the “Paramedic of the Year” Banquet to be held on Friday, May 16, 2008. He also invited the Jury to the annual Night Landing Zone classes to be held on Monday, May 19, 2008 at 6:30 p.m. at the Maurice Volunteer Fire Department and Tuesday, May 27, 2008 at 6:30 p.m. at the Kaplan Volunteer Fire Department. Mr. Creswell stated that this training was to train the Vermilion Parish Sheriff’s Department on Night Landing for Air-Med helicopters.

Upon motion of Mr. Leon Broussard, duly seconded by Mr. Ronald Menard, and unanimously carried, the Police Jury approved dispensing the reading of the minutes of the regular meeting of April 21, 2008 meetings, and were accepted as presented.

President Butaud recognized Mr. Eugene Sellers, Sr., with Sellers & Associates, Inc., to present any business she had to the Jury.

Mr. Sellers presented two permits to be approved by the Jury.

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

- (A) Project Permit 1549-D to Walter Oil Corporation, to construct a drill site location with appurtenant structures for drilling the CAM 1-3 RD; Duhon No. 1 Well, contingent upon the receipt the permit and inspection fee in the amount of \$250.00, the Certificate of Responsibility and the Emergency Plan being approved by the Vermilion Parish Office of Homeland Security/Emergency Preparedness, in Election District No. 01.
- (B) Project Permit 1550-P to Triumph Energy, Inc., to furnish and install 3,094 feet of one 3-inch flowline to serve the Calcite Prospect Well in Election District No. 11.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury approved payment of Partial Payment No. 10 to Glenn Lege Construction, Inc., in the amount of \$188,882.53, relative to the “2006-2007 Capital Improvements Program – Street Improvements”. Cost to be paid from Parishwide.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury approved payment of Partial Payment No. 3 to Glenn Lege Construction, Inc., in the amount of \$189,178.13, relative to the “2006-2007 Capital Improvements Program-Phase II – Street Improvements”. Cost to be paid from Parishwide.

Mr. Paul Moresi, III, Legal Counsel, informed the Jury that the proposed “Junked Motor Vehicles on Private Properties” ordinance was modeled after a similar ordinance in Lafayette Parish. Last week, it was ruled that the Lafayette ordinance was ruled unconstitutional;

therefore, Mr. Moresi stated that he recommended the Jury table Item No. 8 of the Public Works Committee Recommendations until further ruling on the matter is available.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Mark Poche`, and unanimously carried, the Police Jury amended the Public Works Committee Recommendations to table Item No. 8.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury went into executive session at 6:54 p.m. to discuss prospective litigation after written demand.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury returned to regular session at 7:19 p.m.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury amended Item No. 10 of the Public Works Committee recommendations to read, "It is recommended that the Police Jury approve payment to the Vermilion Parish Sheriff Department, in the amount of \$331,017.42, with the stipulation that this payment is a non-binding, compromised compensation for past expenses at the Vermilion Parish Jail and as good-faith to negotiate for future expenses and to discuss conditions at the Vermilion Parish Jail."

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Ronald Menard, and unanimously carried, the Police Jury authorized Legal Counsel to compose a complaint form for blighted property.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Ronald Darby, 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
APRIL 30, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC WORKS COMMITTEE MEETING HELD ON APRIL 30, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury hire Ms. Amanda Choate as a Secretary for the Public Works Department at a Grade 9, Step 0.
2. It is recommended that the Police Jury reappoint Mr. Marty Benoit to the Southeast Waterworks District No. 2 for a term of 5 years.
3. It is recommended that the Police Jury ratify hiring Ms. Rashanda Evans as a CDL Driver for the Solid Waste Department as a Grade 10 Nights, Step 0.
4. It is recommended that the Police Jury ratify hiring Mr. Jimmie Perry as a CDL Driver for the Solid Waste Department as a Grade 10 Days, Step 0.

5. It is recommended that the Police Jury approve payment of Invoice No. 837 to Emergency Services Training & Consulting, Inc., in the amount of \$500.00, relative to the 2008 FEMA Fire Act Grant Fee (Grant No. EMW-2008-FV-00079). Cost to be paid from '76 Sales Tax.
6. It is recommended that the Police Jury approve payment of the attached bills that were submitted.
7. It is recommended that the Police Jury adopt the proposed Blighted Property Ordinance as presented by Legal Counsel.
8. It is recommended that the Police Jury adopt the proposed Junked Motor Vehicles on Private Properties as presented by Legal Counsel.
9. It is recommended that the Police Jury approve grading all the shoulders of the Village of Maurice streets to eliminate standing water which could become detrimental for all blacktopped roads, in accordance with the annual Intergovernmental Agreement between the Parish and the Village of Maurice.
10. It is recommended that the Police Jury authorize Legal Counsel to send a letter to Vermilion Parish Sheriff Mike Couvillon with a counterproposal relative to the expenses at the Parish Jail.
11. It is recommended that the Police Jury authorize Legal Counsel to send a letter to legal counsel for the owner of the GOL Shooting Range with a copy of the Attorney General's opinion regarding Ordinance 2005-O-21, and to request GOL Shooting Range apply for an operating permit for the range as outlined in the above Ordinance.
12. It is recommended that the Police Jury authorize Legal Counsel and the Parish Engineer to inspect a drainage servitude near the Lakeshore Club in Election District No. 14, relative to the abandonment of the servitude.

Respectfully Submitted,
Wayne Touchet,
Chairman

In accordance with the Public Works Committee Recommendations, the following ordinance was adopted:

ORDINANCE NO. 2008 - O - 10

AN ORDINANCE REGULATING BLIGHTED PROPERTIES
IN THE PARISH OF VERMILION

BE IT ORDAINED by the Vermilion Parish Police Jury that there is a need to protect the public safety, health and welfare of the citizens of the Parish of Vermilion in regards to blighted properties located within the Parish of Vermilion, Louisiana.

BE IT FURTHER ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 5th day of May, 2008, that the Vermilion Parish Police Jury adopt Parish Ordinance No. 2008-O-10 as follows:

Sec. 1. Findings

The Vermilion Parish Police Jury finds that:

- (1) The existence of blighted and uninhabitable housing creates public health problems, diminishes the property values of neighboring properties, has a negative effect on the quality of life of adjacent property owners, increases the risk of property damage through arson and vandalism, and discourages neighborhood stability and revitalization.
- (2) Blighted and abandoned residential housing properties should be rehabilitated and preserved to maintain the character of neighborhoods and simultaneously provide an opportunity for the Vermilion Parish Police Jury to arrange for the renovation or rehabilitation of such residential housing properties.
- (3) Local governmental subdivisions and their instrumentalities must be provided an additional tool in order to access and invest funds to renovate abandoned, blighted, and uninhabitable housing units within a judicially approved framework so that: (a) neighborhoods are not negatively impacted by blighted and abandoned properties; (b) owners will be assured that neighborhoods are safe places to live and that their reinvestment in rebuilding will not be devalued by the negative influence of blighted and abandoned properties in their neighborhood; (c) decent, safe, sanitary, and affordable housing may be provided to displaced persons and other priority tenants; (d) the statewide housing crisis may be alleviated; and (e) the substantial delays associated with blighted property may be avoided.

Sec. 2 Definitions

As used in this article, the following terms shall have the following meanings, to-wit:

- (1) "Adjudicated property" means a residential housing property on which taxes were due and which has been sold in accordance with law without appraisal following advertisement in the official journal of the local governmental subdivision and for which a tax deed by the local governmental subdivision's tax collector has been issued that constitutes prima facie evidence that a valid sale was made.
- (2) "Alternate plan" means a renovation or rehabilitation plan for either a residential housing property below minimum habitability standards or a blighted housing property prepared by the owner or other secured party that preserves the historic integrity of the residential building and restores such property to minimum habitability standards as evidenced by (a) a physical condition assessment identifying components of the blighted housing property requiring repair, replacement, or improvement to restore the property to minimum habitability

standards in a cost-effective manner, (b) an estimate and certificate of costs executed by the owner or other secured party, including a schedule of values executed by a contractor committed to complete the repairs, replacements, or improvements identified in the physical condition assessment within the estimate of costs, (c) evidence of funding commitments from government or commercial lenders sufficient to finance all costs identified in the estimate and certificate of costs, (d) a timetable evidencing the time frame within which the rehabilitation plan may be completed which shall include a date certain by which the rehabilitation will be completed, and (e) a detailed financial feasibility analysis, including documentation of the economic feasibility of the proposed reuse if the residential housing property is not to be occupied as the principal residence of the owner, including operating budgets or resale prices, or both, as appropriate.

- (3) "Approving resolution" means a resolution adopted by the Vermilion Parish Police Jury following an administrative hearing at which the owner and secured parties were provided notice and each given an opportunity to show cause why a rehabilitation plan for the residential housing property should not be prepared and implemented and which resolution determines that (a) the residential housing property is confirmed to be a blighted housing property and (b) the owner and secured parties either failed to submit an acceptable alternate plan or submitted an unacceptable alternate plan.
- (4) "Blighted housing property" means (a) any residential housing property for which environmental remediation is required by state law, rule, or regulation and the condition of which is found or declared by the public officer to be harmful to the health or welfare, including the economic welfare, of the residents of Vermilion Parish wherein the residential property is located, (b) any residential housing property that, as of the effective date of this Chapter, had been determined to be a blighted property or an adjudicated property by the local governmental subdivision, (c) any residential housing property that (i) is offered by a party in interest for inclusion on a blighted housing properties list and (ii) the current condition of which is declared by the Vermilion Parish Police Jury to be below minimum habitability standards and unfit for human habitation, occupancy, or use, or (d) any residential housing property that (i) has not been legally occupied for eighteen months prior to the time a public officer makes a determination that the property has been vacant for such eighteen-month period and (ii) has been determined to be a public nuisance by the Vermilion Parish Police Jury, except no residential housing property in an area impacted by Hurricane Katrina or Hurricane Rita which was occupied as of August 28, 2005, shall be included if the owner is eligible for and receives assistance under the Road Home Housing Program.
- (5) "Blighted housing property list" means a list prepared and periodically updated by a designated public official that identifies blighted housing properties in the jurisdiction of the Vermilion Parish Police Jury.
- (6) "Capital recovery payment" means a monthly payment to the Vermilion Parish Police Jury or qualified rehabilitation entity after completion of the rehabilitation or renovation of the residential housing property based upon the amount of any

costs incurred by the Vermilion Parish Police Jury or qualified entity, including any new funds for reserves, repairs, transaction costs, or similar property costs.

- (7) "Commitment" means a legally binding agreement to receive and use a specific amount of money to complete construction or rehabilitation that can reasonably be expected to start within six months of the agreement date.
- (8) "Cost-effective manner" means the rehabilitation costs of a blighted housing property is less than fifty percent of the replacement costs of such property unless the blighted housing property has historic significance that must be preserved.
- (9) "Court" means the district court, city court, parish court, or municipal court with jurisdiction for the Vermilion Parish Police Jury in which the blighted housing property is located.
- (10) "Designated official" means the President of the Vermilion Parish Police Jury or such other person designated to act on behalf of the President by the Vermilion Parish Police Jury.
- (11) "Governing authority" means the Vermilion Parish Police Jury.
- (12) "Hearing officer" means an officer of the Vermilion Parish Police Jury appropriately qualified to carry out the responsibilities of hearing appeals and who does not report to the public officer.
- (13) "Local governmental subdivision" means the Vermilion Parish Police Jury.
- (14) "Minimum habitability standards" means the minimum property standards requirements set forth by the United States Department of Housing and Urban Development (HUD) in 24 CFR 200.929(b), particularly those standards in HUD 4910.1(HUD Minimum Property Standards for Housing).
- (15) "Municipality" means an incorporated city, town, or village as defined in Article VI, Section 44(3) of the Constitution of Louisiana of 1974.
- (16) "Owner" means the holder or holders of title to a blighted housing property.
- (17) "Party in interest" means (a) any individual, association, and corporation who has an interest of record in a residential housing property and any who has the right to possession of such property, (b) any owner of property adjacent to the residential housing property, or (c) any neighborhood association of property owners recognized by the local governmental subdivision covering an area inclusive of a residential housing property that is below minimum habitability standards.
- (18) "Public officer" means an officer of the Vermilion Parish Police Jury appropriately qualified to carry out the responsibilities of inspecting housing properties to determine whether such properties comply with state and local building codes and local health and safety codes and designated by resolution of the Vermilion Parish Police Jury in which the housing property is located.

- (19) "Qualified rehabilitation entity" means any person or entity designated by the Vermilion Parish Police Jury or the state housing agency on the basis of having demonstrated knowledge and substantial experience in the construction or rehabilitation of residential housing properties, the provision of affordable housing, the restoration of blighted property, the revitalization and improvement of neighborhoods and that is well qualified by virtue of its staff, professional consultants, financial resources, and prior activities to carry out the rehabilitation of blighted residential housing properties.
- (20) "Receiver" means either the Vermilion Parish Police Jury, secured party, or a qualified rehabilitation entity approved by the court.
- (21) "Receivership" means the judicially established framework for real property interest which is created by the court with respect to a blighted housing property pursuant to which a receiver is designated to preserve, rehabilitate, restore, and operate the blighted housing property.
- (22) "Receivership term" means the period of time established by the court commencing as of the date that the receivership is established and ending not earlier than the date required by the receiver to collect all capital recovery payments and not later than the date the owner is approved by the court to take possession and use of the property. In no event shall a receivership term be longer than five years.
- (23) "Rehabilitation plan" means (a) a renovation or rehabilitation plan for a blighted housing property approved by the Vermilion Parish Police Jury that is consistent with any neighborhood redevelopment strategy, preserves the historic integrity of the residential housing property and restores such property to minimum habitability standards based upon (i) a physical condition assessment identifying components of the blighted housing property requiring repair, replacement, or improvement to restore the property to minimum habitability standards in a cost-effective manner, (ii) an estimate and certificate of costs executed by a public officer, including a schedule of values executed by a contractor committed to complete the repairs, replacements, or improvements identified in the physical condition assessment within the estimate of costs, (iii) evidence of funding commitments from government or commercial lenders sufficient to finance all costs identified in the estimate and certificate of costs, and (iv) a tentative timetable evidencing the time frame within which the rehabilitation plan may be completed, (b) an operating budget, including any required or permitted capital recovery payment, and (c) a receivership term.
- (24) "Replacement costs" means the costs of constructing a housing unit of the same size and with the same features on the sight of the blighted housing property.
- (25) "Secured party" means any lienholder, mortgagee, or other secured party with an interest in the blighted housing property that is recorded in the Vermilion Parish mortgage, conveyance, or clerk of court records or the secretary of state's records.

- (26) "State housing agency" means the Louisiana Housing Finance Agency, a public body corporate and politic constituting a political subdivision and instrumentality of the state of Louisiana, created and organized pursuant to and in accordance with the provisions of Chapter 3-A of Title 40 of the Louisiana Revised Statutes of 1950, as amended.

Sec. 3. Blighted Housing property list, creation,, maintenance and challenges

A. Creation and content

- (1) The Secretary-Treasurer, Administrator or other public officer of the Vermilion Parish Police Jury shall identify residential housing properties below minimum habitability standards for the purpose of establishing a blighted housing property list which may be a list of such properties throughout the Parish of Vermilion or only within those parts of the Parish of Vermilion as the Vermilion Parish Police Jury may designate by resolution.
- (2) The public officer may exclude from the inventory of blighted housing property any property for which the expense to the Vermilion Parish Police Jury of determining the cost of environmental remediation required under state or federal law would be excessive in the judgment of the Vermilion Parish Police Jury.
- (3) Each blighted housing property on the inventory so identified shall include the tax block and lot number, the name of the owner of record, if known, and the street address of the lot. No residential housing property in an area impacted by Hurricane Katrina or Hurricane Rita which was occupied as of August 28, 2005, shall be included on the inventory as a blighted housing property if the owner is eligible for and receives assistance under the Road Home Housing Program.
- (4) Evidence of utility connections, including sewer, water, electric, or gas and billings to an occupant for the month of July or August 2005 shall be presumptive evidence that a residential housing property was occupied as of August 28, 2005.

B. Maintenance of blighted housing property list

- (1) Once an inventory has been conducted and blighted housing properties have been identified, the public officer shall establish and maintain a list of blighted housing properties, to be known as the "blighted housing property list".
- (2) The Vermilion Parish Police Jury may add properties to the blighted housing property list at any time and may delete properties at any time when the public officer finds that the property no longer meets the definition of a blighted housing property. Any party in interest may request that a residential housing property below minimum habitability

standards be included on the blighted housing property list by filing an affidavit with the public officer certifying the basis for such person being a party in interest and the conditions of the property that make the property unfit for human habitation, occupancy, or use.

- (3) Upon receipt of such an affidavit, the public officer or any qualified rehabilitation entity designated by the Vermilion Parish Police Jury shall be empowered to inspect the property and make a determination as to whether the property should be declared a blighted housing property. A residential housing property that is below minimum habitability standards shall not be included on the blighted housing property list if rehabilitation is being performed by the owner in a timely manner, as evidenced by building permits issued and diligent pursuit of rehabilitation work authorized by those permits, or by the filing of a rehabilitation plan approved by the court.

C. **Rules and regulations prescribing risk guidelines.** In accordance with LSA-R.S. 40:600.34, the state housing agency, in conjunction with the state departments of environmental quality and health and hospitals, has or will adopt rules and regulations prescribing guidelines and criteria for assessing and determining if a residential housing property is harmful to the health or welfare, including the economic welfare, of the residents of the local governmental subdivision wherein the residential housing property is located, or unfit for human habitation, occupancy, or use, and whether such property is undergoing rehabilitation in a timely manner within the meaning of Subsection B of this Section. The public officer may apply such standards in conducting any inventory pursuant to this Section.

D. **Notice to owners with properties on the blighted housing properties list.**

- (1) The public officer, within thirty days of the completion of the blighted housing property list, or any additions thereto, shall send a notice, by certified mail, return receipt requested, and by regular mail, to the owner of record of every property included on the list and shall cause the list, including periodic updates to the list, to be published in the official journal of the Vermilion Parish Police Jury, which publication shall constitute public notice, and, to the extent that the Vermilion Parish Police Jury maintains an informational web site, post the list on the Parish's informational web site.
- (2) The published and mailed notices shall identify property determined to be blighted housing property setting forth the owner of record, if known, the tax lot and block number, and street address.
- (3) The public officer, in consultation with the tax collector, shall also send out a notice by regular mail to any mortgagee, servicing organization, or property tax processing organization that receives a duplicate copy of the tax bill. When the owner of record is not known for a particular property and cannot be ascertained by the exercise of reasonable diligence by the

public officer, notice shall not be mailed but instead shall be posted on the property and published in the official journal of the Vermilion Parish Police Jury.

- (4) The mailed notice shall include the factual basis for the public officer's finding that the property is blighted housing property, specifying the information relied upon in making such finding, and the owner's right and procedures to appeal the finding.

E. Challenges to listing on blighted housing property list.

- (1) An owner or secured party may challenge the inclusion of his property on the blighted housing property list by appealing that determination to the hearing officer within sixty days of the owner's receipt of the certified notice.
- (2) In the case of a notice that is returned as undeliverable or an owner whose identity was not known to the public officer, the owner shall have ninety days from the date upon which notice was published or posted, whichever is later, to challenge the inclusion of a property on the blighted housing property list.
- (3) For good cause shown, the hearing officer shall accept a late filing of an appeal. Within thirty days of receipt of a request for an appeal of the findings, the hearing officer shall schedule a hearing of the matter at which the owner or any party in interest may present oral or written testimony that the property should not be included on the list.
- (4) The owner or any party in interest may submit documentation including but not limited to photographs, repair invoices, bills, and construction contracts to challenge the inclusion of the property on the list.
- (5) The hearing officer shall render a decision on the appeal within thirty days of the hearing and shall promptly, by certified mail, return receipt requested, notify the property owner of the decision and the reasons therefore.

F. Appeal of blighted property designation. The property owner may challenge an adverse determination of an appeal with the hearing officer, by filing an appeal in the court in the parish in which the property is located. Such action shall be instituted within thirty days of the date of the notice of decision mailed by the hearing officer. The failure to institute an action of appeal on a timely basis shall constitute a jurisdictional bar to challenging the adverse determination, except that, for good cause shown, the court may extend the deadline for instituting the action.

G. Removal of properties from blighted housing property list. The public officer shall promptly remove any property from the blighted housing property list that has been determined not to be a blighted housing property on appeal.

Sec. 4. Statewide blighted housing property list

The Vermilion Parish Police Jury shall submit its blighted housing property list to the State housing agency no later than December 31st of each year.

Sec. 5 Filing of action to implement rehabilitation plan; notice to secured parties

A. Form of notice to secured parties. Prior to the Vermilion Parish Police Jury filing an action with the consent of the owner to establish a receivership in connection with a blighted housing property on a blighted housing property list, the designated official shall serve notice on the secured party which notice shall state that:

- (1) The Vermilion Parish Police Jury has determined the residential housing property of the owner to be a blighted housing property and has placed such property on the Vermilion Parish Police Jury's blighted housing property list.
- (2) The Vermilion Parish Police Jury and the owner will arrange for a rehabilitation plan to be prepared and submitted to the court to restore the property to minimum habitability standards.
- (3) A secured party may request a copy of such rehabilitation plan upon its submission to the court.
- (4) A secured party may submit an alternate plan to the public officer within forty-five days of the date of the notice.
- (5) If a secured party does not present to the public officer an alternate plan within forty-five days of the date of the notice, the secured party may file an objection to the local governmental subdivision's action to implement a rehabilitation plan in the court.

B. Service of notice. The notice shall be served on the secured parties by registered or certified mail, postage prepaid, addressed to the secured party at their last known addresses.

C. Recordation of notice. Any notice served pursuant to this Section shall be filed with the recorder of mortgages where the property is located. Once filed, said notice shall be deemed notice to all subsequent transferees. Any transferee of such property takes the property subject to all recorded liens, mortgages, and notices thereunto pertaining.

Sec. 6. Action to establish a receivership

A. Action and determination of court. An action to establish a receivership that transfers possession and control of blighted housing property to the Vermilion Parish Police Jury or a qualified rehabilitation entity may be brought by the

Vermilion Parish Police Jury in the court in the parish in which the blighted housing property is located.

B. An action submitted to a court to establish a receivership shall include:

- (1) The documentation supporting the residential housing property being designated a blighted housing property.
- (2) An affidavit executed by the designated official stating that (a) the residential housing property was listed on the blighted housing property list, (b) the owner of the property has consented to placing the property in receivership, (c) notice was delivered to the secured parties in accordance with the provisions of this Chapter and was filed as required in the mortgage record of the Vermilion Parish Police Jury, or that there are no secured parties, (d) a rehabilitation plan for the blighted housing property was offered to the secured parties for review, (e) the secured party did not submit an acceptable alternate plan to the public officer, (f) a statement has been received by an individual holding appropriate professional qualifications that there are sound reasons that the blighted housing property should be rehabilitated rather than demolished based upon the physical, aesthetic, or historical character of the residential housing property or the relationship of such residential housing property to other buildings and lands within its immediate vicinity, and (g) the Vermilion Parish Police Jury approved the implementation of the rehabilitation plan pursuant to an approving resolution.
- (3) An affidavit from the owner consenting to placing the property in receivership and agreeing to the cost of the rehabilitation plan.
- (4) A certified copy of the approving resolution.
- (5) A copy of the rehabilitation plan.
- (6) A request that the court establish a receivership for the blighted housing property, appoint a receiver, and approve and authorize the receiver to implement the rehabilitation plan.

C. Prior to establishing a receivership, the court shall consider any objections filed by secured parties and evaluate any alternate plans submitted by secured parties. The court may approve a secured party's alternate plan that, in the judgment of the court, is realistic and likely to result in the expeditious rehabilitation of the property to minimum habitability standards and a return of the blighted housing property to commerce. If the court approves the secured party's alternate plan, then the court shall appoint the public officer to act as monitor of the secured party's compliance. If the secured party fails to carry out any step in the approved alternate plan, then the Vermilion Parish Police Jury may apply to the court to complete the Vermilion Parish Police Jury's rehabilitation plan.

D.

- (1) If the court finds that the property is blighted property and that the secured party has failed to submit an acceptable alternate plan or to take any action to restore the blighted housing property to minimum habitability standards, then the court shall authorize the Vermilion Parish Police Jury or a qualified rehabilitation entity designated by the Vermilion Parish Police Jury to take possession, control, and use of the blighted housing property for the receivership term and to implement the rehabilitation plan.
- (2) The possession of the property by the Vermilion Parish Police Jury or qualified rehabilitation entity shall continue in receivership for the receivership term established by the court. In no event shall the receivership term exceed five years.
- (3) The costs to rehabilitate the property contained in the rehabilitation plan submitted for approval by the court shall be a lien against the property, which lien may be satisfied through capital recovery payments or by the maintenance of the receivership for the receivership term unless the owner applies to the court as otherwise provided in this Chapter for reinstatement of possession and control of the property and meets the criteria for reinstatement, including satisfying any and all liens, imposed by the court.

E. Other proceedings in court. The Vermilion Parish Police Jury or the qualified rehabilitation entity granted possession and control as receiver may commence and maintain any further proceedings in the court as may be necessary for the conservation, protection, rehabilitation, or disposition of the property or as may be necessary to recoup the cost and expenses of rehabilitation.

F. Receiver subject to direction and control by court. Any receiver so appointed shall be under the direction and control of the court and shall have full power over the property and shall, upon appointment by the court, commence and maintain all actions for the conservation, protection, or disposal of the residential housing property as the court may deem proper.

G. Technical advisory assistance to court. The state housing agency shall serve as a technical advisor to a court and may review each alternate plan and rehabilitation plan submitted to the court and advise the court as to the feasibility or viability of such plans; monitor on behalf of the court the implementation of the receivership over the receivership term; and advise the court as may be necessary and appropriate concerning revisions or adjustments to an alternate plan or a rehabilitation plan.

Sec. 7 Local governmental subdivision as receiver

A. The court shall grant the Vermilion Parish Police Jury possession of the property if it finds that:

- (1) The rehabilitation plan is appropriate.

- (2) The Vermilion Parish Police Jury or its designated qualified rehabilitation entity is qualified to undertake the rehabilitation plan.
- (3) The rehabilitation plan submitted by the Vermilion Parish Police Jury represents a realistic and timely plan for the rehabilitation and reuse of the blighted housing property.

B.

- (1) The Vermilion Parish Police Jury shall take all steps necessary and appropriate to further the rehabilitation and reuse of the property consistent with the rehabilitation plan submitted to the court.
- (2) In making its findings pursuant to this Section, the court may consult with qualified parties and, upon request by a party in interest, may hold a hearing on the plan.
- (3) Regardless of whether the Vermilion Parish Police Jury exercises its rights directly or designates a qualified rehabilitation entity pursuant to this Section, while in possession of a blighted housing property, the Vermilion Parish Police Jury shall maintain, safeguard, and maintain insurance on the blighted housing property.

C.

Notwithstanding the Vermilion Parish Police Jury's possession of the blighted housing property during the receivership term, nothing in this Chapter shall be deemed to relieve the owner of the property of any civil or criminal liability or any duty imposed by reason of acts or omissions of the owner, or of any obligation the owner or any other person may have for the payment of taxes or other municipal liens and charges, or mortgages or liens to any party, whether those taxes, charges, or liens are incurred before or after the appointment of the receiver.

Sec. 8. Designation of qualified rehabilitation entity

A.

The Vermilion Parish Police Jury may exercise its rights pursuant to R. S. 40:600.38 directly or may designate a qualified rehabilitation entity to act as its designee for the purpose of exercising the Vermilion Parish Police Jury's rights where that designation will further the rehabilitation and reuse of the property consistent with the rehabilitation plan. This designation shall be made by resolution of the Vermilion Parish Police Jury.

B.

Assignment of receivership by local governmental subdivision to a qualified rehabilitation entity. Where the Vermilion Parish Police Jury has been granted possession by the court in the name of the Vermilion Parish Police Jury, the Vermilion Parish Police Jury may seek the approval of the court to assign its rights to another entity, which approval shall be granted by the court when it finds that the entity to which the Vermilion Parish Police Jury's rights will be assigned is a qualified rehabilitation entity and the assignment will further the purposes of this Chapter.

- C. **Reports.** Where the Vermilion Parish Police Jury has designated a qualified rehabilitation entity to act on its behalf, the qualified rehabilitation entity shall provide quarterly reports to the Vermilion Parish Police Jury on its activities and progress toward rehabilitation and reuse of the property. The Vermilion Parish Police Jury or qualified rehabilitation entity, as the case may be, shall provide such reports to the court as the court determines to be necessary. If the court finds that the Vermilion Parish Police Jury or its designee have failed to take diligent action toward rehabilitation of the property within six months from the grant of possession, then the court may request the Vermilion Parish Police Jury to designate another qualified rehabilitation entity to exercise its rights, or if the Vermilion Parish Police Jury fails to do so, may terminate the receivership and return the property to its owner.

Sec. 9. Permits, taxes, liens, and notice of completion

- A. **Permits.** If Vermilion Parish Police Jury, secured party, or qualified rehabilitation entity has been granted possession of a property, the Vermilion Parish Police Jury, secured party, or qualified rehabilitation entity shall be deemed to have an ownership interest in the property for the purpose of filing plans with public agencies and boards, seeking and obtaining construction permits and other approvals, and submitting applications for financing or other assistance to public or private entities.
- B. **Legal control.** For the purposes of any program of grants or loans, possession of a blighted housing property pursuant to the provisions of this Chapter shall be considered legal control of the property.
- C. **Liens.** The court may approve the borrowing of funds by the Vermilion Parish Police Jury, with the consent of the property owner, to rehabilitate the property. Prior to seeking approval to borrow funds, the Vermilion Parish Police Jury shall have exhausted all grant opportunities. The court may grant a lien or security interest in the property for the amount of the borrowed funds.
- D. **Recordation of liens.** No lien authorized by the court shall take effect unless recorded in the mortgage office of the parish in which the property is located.
- E. **Notice of completion.** The Vermilion Parish Police Jury shall file a notice of completion with the court, and shall also serve a copy on the owner and any mortgage holder or lienholder, at such time as the Vermilion Parish Police Jury has determined that at least fifty percent of the rehabilitation plan is complete. This notice shall include an affidavit of the public officer attesting to the frame within which that rehabilitation can realistically be anticipated to be complete and a statement setting forth such actions as it plans to undertake to ensure that reuse of the property is consistent with the plan.

Sec. 10. Reinstatement of owner in possession

An owner may petition for reinstatement of the owner's control and possession of the property at any time during the receivership term.

Sec. 11. Petition for reinstatement

- A. Any petition for reinstatement of the owner's control and possession of the property filed pursuant to LSA-R.S. 40:600.41 shall:
 - (1) Include an agreement by the owner to complete the rehabilitation plan.
 - (2) Provide legally binding assurances that the owner will comply with all conditions of any grant or loan secured by the Vermilion Parish Police Jury or repay those grants or loans in full, at the discretion of the maker of the loan or grant.
- B. If the requirements of the petition are met, the court shall reinstate the owner to possession, control, and use of the property.

Sec 12. Sale of property

- A.
 - (1) The Vermilion Parish Police Jury, at the end of the receivership term, may petition the court to sell the property if the owner has not petitioned for reinstatement of ownership.
 - (2) The owner shall be served with a copy of the petition in accordance with the Code of Civil Procedure Article 1201, et seq. and be given an opportunity to respond.
- B. Any sale of property pursuant to the provisions of this Section shall be for the fair market value of the rehabilitated property, but not less than the amount necessary to recoup the costs incurred in rehabilitating the property.
- C. Any proceeds resulting from the sale in excess of the amount necessary to recoup the costs incurred in rehabilitating the property shall be returned to the property owner.

Sec 13. Preference to affected areas

Pursuant to the Robert T. Stafford Act as provided in 42 U.S.C.A. § 5150, in the expenditure of federal funds, under the provisions of this Chapter, in the carrying out of activities by contract or agreement with private organizations, firms, or individuals, preference shall be given, to the extent feasible and practicable, to those organizations, firms, and individuals residing or doing business in the state of Louisiana.

Sec. 14. Repeal of conflicting ordinances.

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

Sec. 15. 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.16. Effective date.

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

* * * * *

Mr. Leon Broussard stated that he wished to amend Item No. 10 of the Public Road Committee Recommendations to read, "It is recommended that the Police Jury begin installing driveway culverts at a cost of \$0.25 cents per diameter inch times the linear footage of the culvert to be installed plus the permit fee. This is to be accomplished without the purchase of additional equipment or personnel."

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Pervis Gaspard, and unanimously carried, a motion was made to have a roll call vote on the amending of Item No. 10 of the Public Road Committee Recommendations.

A roll call vote was taken, with votes as follows:

<u>Nay</u>	<u>Yeas</u>
Mr. Chris Beraud	Mr. Dane Hebert
Mr. Nathan Granger	Mr. Ronald Darby
Mr. Mark Poche`	Mr. Wayne Touchet
Mr. Errol J. Domingues	Mr. Gerald Butaud
	Mr. Ronald Menard
	Mr. Pervis Gaspard
	Mr. Cloris J. Boudreaux
	Mr. T. J. Prejean, Jr.
	Mr. Leon Broussard

The vote was (9) nine for and (4) six against, the motion passed.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury referred the item of installing driveway culverts to the Public Road Committee meeting of May 14, 2008 for discussion regarding the details necessary for implementing the program.

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury approved the Public Road Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations.

PUBLIC ROAD COMMITTEE
APRIL 30, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC ROAD COMMITTEE MEETING HELD ON APRIL 30, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury reclassify Mr. Perry Picard as the Area IV Barn Foreman, replacing Mr. Floyd Broussard, as a Grade 14, Step 15.
2. It is recommended that the Police Jury reclassify Mr. Pat Jude Vice as a Gradall Operator for the Area IV Barn, temporarily replacing Mr. Ennis Schexnider, at a Grade 13, Step 0.
3. It is recommended that the Police Jury authorize Legal Counsel to send a letter to Mr. Jimmy Dupre informing him that should he move the drainage ditch located at 2006 Olias Drive, Erath, he must follow the specifications as outlined by the Parish Engineer which include the ditch having a 5' bottom with three 1-side slopes and a 20' top.
4. It is recommended that the Police Jury authorize Sellers & Associates, Inc. and the Parish Road Supervisor to investigate a drainage ditch located at the end of Helen Street in Champagne Estates Subdivision in Election District No. 03 for the purpose of cleaning the ditch out to improve drainage in the area.
5. It is recommended that the Police Jury authorize Sellers & Associates, Inc. and the Parish Road Supervisor to investigate the bridge on Mahogany Road in Election District No. 10, relative to repairing the bridge.
6. It is recommended that the Police Jury approve the following reclassifications, in view of no longer having a CDL license:
 - A. Mr. Hillard Broussard – From a Grade 10, Step 10 to a Grade 9, Step 11
 - B. Mr. Wayne Martin – From a Grade 10, Step 25 to a Grade 9, Step 27
7. It is recommended that the Police Jury approve payment of Invoice No. 207337 to Ray Chevrolet Olds, Inc., in the amount of \$758.50, relative to a damage claim by Mr. Ivan Dore.
8. It is recommended that the Police Jury approve payment of an invoice dated 04/22/08 to Abbeville Glass & Mirror Works, in the amount of \$184.32, relative to a damage claim by Mr. Robert Nugier to repair his glass door damaged by a Parishwide employee.
9. It is recommended that the Police Jury approve payment of the attached bills that were submitted.
10. It is recommended that the Police Jury table the item of implementing a Parishwide Driveway Culvert Program until the regular Police Jury meeting of Monday, May 5, 2008.

Respectfully submitted,
Errol J. Domingues,
Chairman

Mr. Ronald Menard stated that he wished to amend Item No. 1 of the Finance Committee Recommendations to read, "It is recommended that the Police Jury approve paying for an additional 20 hours and ½ of the benefits for the Kaplan City Deputy Marshall."

Upon Mr. Ronald Menard, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, a motion was made to have a roll call vote on the amending of Item No. 1 of the Finance Committee Recommendations.

A roll call vote was taken, with votes as follows:

<u>Nay</u>	<u>Yeas</u>
Mr. Dane Hebert	Mr. Ronald Darby
Mr. Chris Beraud	Mr. Wayne Touchet
Mr. Nathan Granger	Mr. Ronald Menard
Mr. Mark Poche`	Mr. Cloris J. Boudreaux
Mr. Errol J. Domingues	Mr. T. J. Prejean, Jr.
Mr. Gerald Butaud	Mr. Leon Broussard
Mr. Pervis Gaspard	

The vote was (6) six for and (7) seven against, the motion failed.

Upon motion by Mr. Mark Poche`, duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury approved amending Item No. 17 of the Finance Committee Recommendations to read, "It is recommended that the Police Jury prioritize the following projects for the 2008-2009 State Capital Outlay Program and authorize sending a letter to the Louisiana Delegation encouraging them to include the projects in the Capital Outlay Bill with a high priority so they would be funded by the end of the year:

- A) Road and Bridge Improvements
- B) Emergency Operations Center/Joint Communications Center
- C) Multi-purpose Arena
- D) Multi-level parking garage near the VP Courthouse"

Mr. Errol J. Domingues requested clarification on Item No. 15 of the Finance Committee Recommendations.

Mr. David stated that Ms. Broussard was being paid ½ from Parishwide funds and ½ from Public Works funds. Mr. David informed the Jury that Ms. Broussard does not work for Public Works, therefore, she should be paid solely from Parishwide funds.

Mr. David stated that he also wished to reclassify Ms. LeeAnn Hines as a Grade 12 and Ms. Rachel Rung as a Grade 13.

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury referred reclassifying Ms. LeeAnn Hines and Ms. Rachel Rung to the Finance Committee meeting on May 14, 2008.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved the Finance Committee Recommendations, as amended, and the appropriate officials were authorized to carry out the recommendations.

FINANCE COMMITTEE
APRIL 30, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A FINANCE COMMITTEE MEETING HELD ON APRIL 30, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury authorize the Finance Committee Chairman, the Administrator/Secretary-Treasurer, the Police Jury President and Legal Counsel to meet to formulate a proposal regarding the requested additional 20 hours for the Kaplan City Deputy Marshal to be presented at the next Finance Committee meeting of May 14, 2008.
2. It is recommended that the Police Jury ratify the revised pay scale and reclassification to implement the Solid Waste employees and the Parishwide and FRS employees, the proposed divers license scale for CDL drivers for the Parishwide and FRS crews, and a 6% cost-of-living increase for the employees in the Administrative Office, Mosquito Control, Law Enforcement, Rabies and Animal Control, Office of Homeland Security/Emergency Preparedness, Public Works, Health Unit, County Agent's Office, the Custodial Staff for the Vermilion Parish Courthouse and the Administrative Office's Building Permit Department salary adjustments, which was previously approved at the Special Meeting of April 14, 2008.
3. It is recommended that the Police Jury approve a 2-step pay increase for Mr. Ronald Guidry from a Grade 14, Step 19, to a Grade 14, Step 21, relative to not receiving his two steps while out on Worker's Compensation.
4. It is recommended that the Police Jury approve creating a new classification for a Recycling Program Monitor at the Solid Waste Facility, at a Grade 9.
5. It is recommended that the Police Jury ratify hiring Ms. Tosha Breaux as a Recycling Program Monitor for the Solid Waste Facility as a Grade 9, Step 0.
6. It is recommended that the Police Jury approve creating a new classification for a Herbicide Sprayer on the Parishwide/FRS pay scale, at a Grade 10.
7. It is recommended that the Police Jury approve hiring Ms. Krista Wright as a Herbicide Sprayer for the Parishwide Department at a Grade 10, Step 0, pending certification.
8. It is recommended that the Police Jury authorize the Administrator/Secretary-Treasurer to meet with Legal Counsel to draft a letter which would re-emphasize the need for more

information regarding temporary secretarial services used by Dr. Trent Fogleman while employed as Vermilion Parish Coroner.

9. It is recommended that the Police Jury approve tabling the item of part-time employees (Seasonal Mosquito Control employees, Seasonal Parishwide Mower Operators, Part-Time Custodians and Part-Time Clerical employees) receiving the 3% annual anniversary increase and the 6% cost-of-living increase until the Administrator/Secretary-Treasurer could meet with the Road Supervisor to discuss the issue.
10. It is recommended that the Police Jury approve creating a new classification for an Inspector II at a Grade 10 on the Administrative, Etc. pay scale for the Mosquito Control Department.
11. It is recommended that the Police Jury approve reclassifying Ms. Myrna White as an Inspector II at a Grade 10, Step 28.
12. It is recommended that the Police Jury approve hiring Mr. Lynn Thibeaux as a CDL Driver for the FRS Crew at a Grade 10, Step 0 with compensation for endorsements as outlined in the proposed divers license scale for CDL drivers.
13. It is recommended that the Police Jury approve reclassifying Mr. Cedric Broussard as an Asphalt Spreader Operator at a Grade 13, Step 3 and Mr. Jody Duplantis as a Chip Spreader Operator at a Grade 13, Step 0.
14. It is recommended that the Police Jury approve adding Mr. Dudley Broussard's grade classification to the Parishwide/FRS pay scale.
15. It is recommended that the Police Jury approve adding Ms. Terry Broussard's grade classification to the Parishwide/FRS pay scale, with full pay from Parishwide.
16. It is recommended that the Police Jury authorize the Administrator/Secretary-Treasurer, the Road Supervisor and the Finance Committee chairman to look into reclassifying Mr. Terry Bourque and Mr. Vernice Lavergne and make a proposal at the Police Jury meeting on Monday, May 5, 2008.
17. It is recommended that the Police Jury table the item of prioritizing the following projects for the 2008-2009 State Capital Outlay Program and authorize sending a letter to the Louisiana Delegation encouraging them to include the projects in the Capital Outlay Bill with a high priority so they would be funded by the end of the year:
 - Emergency Operations Center/Joint Communications Center (\$1,440,000)
 - Multi-purpose Arena (\$2,400,000)
 - Multi-level parking garage near the VP Courthouse (\$2,400,000)
18. It is recommended that the Police Jury approve payment of Invoice No. 10931, to Sellers & Associates, Inc., in the amount of \$350.00, relative to plans and specification review for the Subdivision identified as Meaux Estates.

19. It is recommended that the Police Jury approve payment of Invoice No. V3-1 to Twico, Inc., in the amount of \$19,840.00, relative to the Leachate Riser Pads and Headwalls for the Solid Waste Facility.
20. It is recommended that the Police Jury approve payment of Partial Payment No. 3 to Glenn Lege Construction, Inc., in the amount of \$104,761.26, relative to the "Truck Bypass Route Improvements in the Gueydan Area".
21. It is recommended that the Police Jury approve payment of the attached bills that were submitted.

Respectfully submitted,
Nathan Granger,
Chairman

Upon motion by Mr. Mark Poche`, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury approved the Courthouse/Building Committee Recommendations, as presented, and the appropriate officials were authorized to carry out the recommendations.

COURTHOUSE/BUILDING COMMITTEE
APRIL 30, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A COURTHOUSE/BUILDING COMMITTEE MEETING HELD ON APRIL 30, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury adopt a proclamation proclaiming Tuesday, July 29, 2008 as "Be Thankful for Your Vision Day" in Vermilion Parish.
2. It is recommended that the Police Jury adopt the following change in Policy:
 - For Non-Supervisory Positions: The amount of Compensatory Time that may be carried, be 20 hours, and a maximum of 10 hours of that time be allowed to be carried over to the following year.
 - For Supervisory Positions: The amount of Compensatory Time that may be carried, be 40 hours, and a maximum of 20 hours of that time be allowed to be carried over to the following year.
3. It is recommended that the Police Jury approve holding the Courthouse/Building Committee meeting once a month.

Respectfully submitted,
Keith Meaux,
Chairman

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved the Rabies and Animal Control Committee

Recommendations, as presented, and the appropriate officials were authorized to carry out the recommendations.

RABIES AND ANIMAL CONTROL COMMITTEE
APRIL 30, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A RABIES CONTROL COMMITTEE MEETING HELD ON APRIL 30, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury table the item of the Pet Adoption Contract, the proposed Ordinance concerning Animal Control and the price list from Vermilion Veterinary Clinic as presented until the Rabies and Animal Control Supervisor returns from sick leave.
2. It is recommended that the Police Jury approve holding the Rabies and Animal Control Committee meeting once a month.

Respectfully submitted,
Ronald Menard,
Chairman

President Butaud recognized Mr. Chris Theriot, Administrator/Secretary-Treasurer, to present any business he had to the Jury.

Mr. Theriot informed the Jury that at the Police Jury meeting of March 3, 2008 the Jury had approved the Public Road Committee Recommendations and authorized the purchase of one 6420 Diamond 5' Side Rotary Mower for a total cost of \$17,687.74 through State Contract from Quality Equipment Co., Inc. There is an additional cost to replace the deluxe exhaust system currently on the 6420 mower to accommodate the frame for the side mower. Cost to replace the deluxe exhaust system is approximately \$978.93.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved replacing the deluxe exhaust system on the 6420 Diamond 5' Side Rotary Mower at an approximate cost of \$978.93 by Quality Equipment Co., Inc.

Mr. Theriot informed the Jury that the following three quotes for materials and labor to remove old carpet and install new carpet in the Registrar of Voters Office in the Courthouse:

- A. Stine Lumber - \$1,743.84
- B. Minvielle Lumber - \$1,812.40
- C. Bon Ami Floor Gallery - \$3,876.93

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Cloris J. Boudreaux, with Juror Ronald Menard abstaining, the Police Jury awarded the lowest quote to Stine Lumber in the amount of \$1,743.84, relative to materials and labor to remove the old carpet and install new carpet in the Registrar of Voters Office in the Courthouse.

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved payment of Invoice No. 489 to Southeast Waterworks District No. 2, in the amount of \$2,963.66, relative to damage to a fire hydrant at the corner of Leonie Street and Celeste Street caused by a Parishwide employee.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury approved payment of Invoice No. 32331 to Cajun Spraying Equipment, Inc., in the amount of \$22,500.00, relative to the Herbicide Sprayer truck.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved payment of an invoice dated May 1, 2008 to the Iberia Parish Sheriff's Office, in the amount of \$828.43, relative to housing Vermilion Parish inmates for the month of April 2008 and authorize Legal Counsel to send a letter with the attached check to the Iberia 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.

Upon motion by Mr. Mark Poche`, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury granted a "Partition of Property" for Mr. Ravis Menard, in Election District No. 11.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approve reclassifying/adjusting the following employees:

- A. Reclassify - Ms. Carolyn Bessard, Administrative Office Supervisor – from a Grade 13, Step 30 to a Grade 14, Step 29
- B. Reclassify - Mr. Wendell Hargrave, Head Custodian Supervisor – from a Grade 11, Step 30 to a Grade 14, Step 24
- C. One Step Adjustment - Mr. Terry Bourque, Area I Barn Foreman – from a Grade 14, Step 17 to a Grade 14, Step 18
- D. One Step Adjustment - Mr. Vernice Lavergne, Mechanic Shop Foreman – from a Grade 14, Step 25 to a Grade 14, Step 26

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury approved hiring Ms. Sybil Graffeo as a Full-Time Custodian for the Vermilion Parish Health Unit as a Grade 9, Step 0.

President Butaud recognized Mr. Paul Moresi, III, Legal Counsel to present any business he had to the Jury.

Mr. Moresi stated that in October of 2007, a vehicle had damaged the Vermilion Parish Health Unit building. At the time, State Farm had made an estimate of the damage, but all quotes received to repair the building were higher than the estimated damage amount. Mr. Moresi stated that a new quote to repair the building had been received from LRJ LeBouef, LLC in the amount of \$9,418.91, which falls within State Farm's estimate. Mr. Moresi recommended awarding the quote to LRJ LeBouef, LLC.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Dane Hebert, and unanimously carried, the Police Jury awarded the lowest quote received to LRJ LeBouef, LLC, in the amount of \$9,418.91, relative to repairing the Vermilion Parish Health Unit building.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury authorized the Administrator/Secretary-Treasurer to acquire quotes to clean Lot No. 1 of Rosehill Subdivision, located at 16311 West Highway 330, as outlined in Ordinance No. 2005-O-09, in Election District No. 09.

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury adopted an ordinance establishing a 35 mph speed limit on Fusilier Road, for its entire length, in Election District No. 01.

ORDINANCE

2008-O-08

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 Fusilier Road, in Election District No. 01.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 35 mph speed limit on Fusilier Road, for its entire length.

SECTION II: BE IT HEREBY FURTHER ORDAINED, that the appropriate speed limit 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 be and is hereby requested and/or directed to enforce the speed limit by the use of radar and/or regular patrolling.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury adopted an ordinance establishing a 35 mph speed limit on Dudley Road, for its entire length, in Election District No. 03.

ORDINANCE

2008-O-09

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 Dudley Road, in Election District No. 03.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose a 35 mph speed limit on Dudley Road, for its entire length.

SECTION II: BE IT HEREBY FURTHER ORDAINED, that the appropriate speed limit 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 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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Upon motion by Mr. Leon Broussard, duly seconded by Mr. Ronald Menard, and unanimously carried, there being no further business to be presented, the meeting was duly adjourned.

Administrator/Secretary-Treasurer

President