

Police Jury Room
December 8, 2008
Abbeville, Louisiana

Minutes of a regular meeting of the Vermilion Parish Police Jury held on December 8, 2008, with President Gerald Butaud presiding.

The meeting was called to order by Mr. Butaud, who asked Mr. Errol J. Domingues 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. Chris Beraud	Mr. Mark Poche'
Mr. Pervis Gaspard	Mr. T. J. Prejean, Jr.
Mr. Wayne Touchet	Mr. Leon Broussard
Mr. Keith Meaux	Mr. Gerald Butaud
Mr. Errol J. Domingues	Mr. Dane Hebert
Mr. Nathan Granger	Mr. Ronald Menard
Mr. Cloris J. Boudreaux	

Absent: Mr. Ronald Darby

President Butaud recognized Ms. Jennifer Saltzman of Kaplan High School, to present her business to the Jury.

Ms. Saltzman thanked the Jury for allowing her and the Parish Day Government Students time on their agenda this evening. Ms. Saltzman also introduced Ms. Nikki Faciane of Erath High School and Ms. Melanie Broussard of Abbeville High School. Students who were selected as Police Jury members and Administrator/Secretary Treasurer introduced themselves.

President Butaud congratulated the students on their election and led the Jury in a round of applause.

President Butaud read the following announcements:

1. The Governor's Advisory Commission on Coastal Protection, Restoration and Conservation will hold a public meeting on Thursday, December 18, 2008 at 9:00 a.m. at the Louisiana State Capitol, 4th Floor Press Conference Room, 900 Third Street, Baton Rouge, Louisiana.

Upon motion of Mr. Nathan Granger, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved dispensing the reading of the minutes of the regular meeting of November 17, 2008, and were accepted as presented.

President Butaud recognized Mr. Eugene Sellers, Sr., with Sellers & Associates, Inc., to address the Jury.

Mr. Sellers presented one drilling permit to be approved by the Jury.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved the issuance of the following:

- A. Project Permit No. 1578-D to Forest Oil Corporation, to drill and maintain the SL 340 "B" Well No. 50, in Election District No. 13.

Mr. Sellers stated that he had been asked to perform a drainage study on Indigo Road, in Election District No. 10. Mr. Sellers informed the Jury that the existing drainage culvert crossing Indigo Road was measured to be a 42" steel casing on the west side and a 42" concrete culvert on the east side. Mr. Sellers stated that the culvert size under Louisiana Highway 14 is sufficiently larger as compared to Indigo Road, but drains the same drainage area as that of Indigo Road. Mr. Sellers recommended removing the 42" culvert on Indigo Road and replacing with a 72" culvert.

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Keith Meaux, and unanimously carried, the Police Jury authorized the Parish Road Supervisor remove a 42" culvert on Indigo Road and replace it with a 72" culvert, to promote better drainage.

Upon motion by Mr. Cloris J. Boudreaux, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved Partial Payment No. 1 to IDIM Construction, in the amount of \$135,072.72, relative to the "Solid Waste Plant Subtitle D Cell Area II-B – Grading Plan".

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Chris Beraud, and unanimously carried, the Police Jury accepted Industrial Drive into the Public Road System, in Election District No. 01.

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Chris Beraud, and unanimously carried, the Police Jury amended the Public Road Committee Recommendations to add: "It is recommended that the Police Jury adopt an ordinance to install "NO DUMPING - \$500 FINE" signs on Baudoin Road, one at the intersection of Baudoin and Kirk Roads and one at the intersection of Baudoin and Andre Roads, in Election District No. 01.

ORDINANCE

2008-O-35

WHEREAS, it has been brought to the Police Jury's attention that a considerable amount of litter exists, which is causing very hazardous conditions, on Baudoin Road, at the intersection of Baudoin and Kirk Roads and at the intersection of Baudoin and Andre Roads, in Election District No. 01.

SECTION I: NOW THEREFORE, BE IT HEREBY ORDAINED, that the Vermilion Parish Police Jury does hereby impose the following to install "NO DUMPING - \$500.00 FINE" signs on Baudoin Road, one at the intersection of Baudoin and Kirk Roads and one at the intersection of Baudoin and Andre Roads, in Election District No. 01.

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

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

SECTION IV: BE IT HEREBY FURTHER ORDAINED, that the Vermilion Parish Sheriff's Department be and is hereby requested and/or directed to enforce the littering ordinance.

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Leon Broussard, 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
DECEMBER 3, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC ROAD COMMITTEE MEETING HELD ON DECEMBER 3, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to research and Legal Counsel to draft an ordinance which would state that all check valves for sewer lines must be placed on the owner's property and not on the Parish's right-of-way.
2. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to rate the concrete bridges on the south end of Prairie Road in Election District No. 9 and Mahogany Road in Election District No. 10.
3. It is recommended that the Police Jury authorize Legal Counsel to draft a hold-harmless clause for the purpose of removing plants along the Parish's right-of-way at 108 Broussard Avenue, Kaplan, Louisiana.
4. It is recommended that the Police Jury approve the issuance of the following:
 - A. Permit No. 1577-P to Gulf South Pipeline to remove and replace a shallow 4.5 inch natural gas pipeline crossing East Jane Street and Loignon Road, in Election District Nos. 05 and 06.
 - B. Letter of No Objection to Burlington Resources Oil & Gas LP to install six temporary 3-pile clusters for securing a work-over rig for well work on the SL 340 No. 24 Well, in Election District No. 09.
 - C. Letter of No Objection to Dune Operating Company to dredge for increasing height of existing spoil bank (levee) along the E. M. Watkins Well No. 119 Canal to prevent salt water intrusion and erosion of adjacent marsh, in Election District No. 13.
5. It is recommended that the Police Jury approve payment of Partial Payment No. 14 to Glenn Lege Construction, in the amount of \$235,464.40, relative to the "2006-2007 Capital Improvements Program – Street Improvements". Cost to be paid from Parishwide.

6. It is recommended that the Police Jury approve payment of Partial Payment No. 07 to Glenn Lege Construction, in the amount of \$70,578.14, relative to the “2006-2007 Capital Improvements Program-Phase II – Street Improvements”. Cost to be paid from Parishwide.
7. It is recommended that the Police Jury approve payment of Invoice No. 1027 to Justin Bertrand Welding, in the amount of \$941.25, relative to repair of drain guard on Duck Festival Road. Cost to be paid from Election District No. 14, Road District No. 01.
8. It is recommended that the Police Jury accept Mom Liz (Pvt) Road into the Parish Road system as a private road, in Election District No. 14.
9. It is recommended that the Police Jury authorize the Administrator/Secretary-Treasurer to send a letter to Mr. Thomas McDaniel, District No. 04 Police Juror – Cameron Parish, relative to entering into an Intergovernmental Agreement between the two parishes to maintain approximately 1 mile of road that extends from Spencer Ditch Road into Cameron Parish (on the western edge of Election District No. 14).
10. It is recommended that the Police Jury adopt the livestock roaming at large ordinance, as presented by Legal Counsel.
11. It is recommended that the Police Jury authorize the Parish Road Supervisor to remove the stop signs from F. T. Smith Road at the intersection of F. T. Smith Road and Zaunbrecher Road and install stop signs on Zaunbrecher Road at the intersection of Zaunbrecher Road and F. T. Smith Road.

Respectfully submitted,
Errol J. Domingues,
Chairman

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

ORDINANCE

2008-O-36

AN ORDINANCE REGULATING LIVESTOCK ROAMING AT LARGE ON THE PUBLIC HIGHWAYS AND ROADS IN THE PARISH OF VERMILION

WHEREAS, there is a need to protect the public safety, health and welfare of the citizens of the Parish of Vermilion in regards to the hazards associated with livestock roaming at large on the public highways and roads within the Parish of Vermilion, Louisiana; and

WHEREAS, the voters in Wards 1, 2, 3, 4, 5, 6, 7, 8 and 9 of the Parish of Vermilion, Louisiana, have approved, by election, the prohibition of livestock roaming at large on the public highways and roads; and

WHEREAS, the ordinances adopted by the various wards and the Parish have not been updated in many years;

NOW THEREFORE, BE IT ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 8th day of December, 2008, that the Vermilion Parish Police Jury adopt Parish Ordinance No. 2008-O-36 in the following specifics:

SECTION 1: Definitions

“Parish” means the Parish of Vermilion, Louisiana

“Livestock” means cattle, horses, sheep, goats and/or pigs

SECTION 2: Livestock Roaming at Large Prohibited

It shall be unlawful to roam at large on any public highway or road in the Parish of Vermilion, Louisiana.

SECTION 3: Impoundment and Related Procedures

The impoundment of livestock found roaming at large on the public highways or roads in the Parish, and procedures related thereto shall be in accordance with LSA-R.S. 3:3004, and following.

SECTION 4: Repeal of Conflicting Ordinances

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

SECTION 5: 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.

SECTION 6: Effective Date

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

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

PUBLIC WORKS COMMITTEE
DECEMBER 3, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC WORKS COMMITTEE MEETING HELD ON DECEMBER 3, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury approve reimbursing Mr. Michael Donner, in the amount of \$600.00, relative to a brick mailbox damaged by a Solid Waste employee.
2. It is recommended that the Police Jury reimburse Woodmen of the World – Walnut Camp No. 714 in the amount of \$2,449.89, relative to their building which was damaged by a Solid Waste employee.
3. It is recommended that the Police Jury adopt a policy to stop all commercial waste haulers from dumping at the Solid Waste landfill.
4. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to obtain Department of Environmental Quality approval to allow using shredded tires for use as cover (mixed with dirt) for the landfill on a trial basis.
5. It is recommended that the Police Jury award the only quote received to Ardaman & Associates, in the amount of \$21,410.00, relative to installing a monitoring well at the Solid Waste Facility.
6. It is recommended that the Police Jury authorize Tim Morton & Associates to address the responses to the Corps of Engineers' questions in regards to the permit for the "Spoil Bank Rehabilitation for the North Prong of Schooner Bayou".

It is further recommended that the Police Jury adopt a resolution requesting that the Louisiana Department of Natural Resources, Coastal Management Division, issue an emergency use permit to the Police Jury for restoring the east bank levee along the north prong of Schooner Bayou between Schooner Bayou and the Intracoastal Waterway.

7. It is recommended that the Police Jury authorize The Sellers Group to acquire quotes to seal coat the roof and replace the louver on the fan at the Area III Barn.
8. It is recommended that the Police Jury authorize The Sellers Group to acquire quotes to pour an additional pad for the Devon trailer and install pipes on all downspouts to hinder erosion in the rear of the building.
9. It is recommended that the Police Jury authorize Legal Counsel to draft an ordinance regarding placing mailboxes in the Parish's right-of-way for those residences not within formally recognized subdivisions.
10. It is recommended that the Police Jury authorize the Administrator/Secretary-Treasurer and the Solid Waste Supervisor formulate a policy for the automated and grab truck drivers stating that they must not pick up debris and/or trashcans when the can is placed too close to a mailbox or directly under cable/telephone/power lines and outlining the consequences for the driver.
11. It is recommended that the Police Jury authorize Legal Counsel to draft an amendment to Ordinance 2008-O-10 to add the definition of *residential*.

12. It is recommended that the Police Jury authorize Legal Counsel send a letter to the Vermilion Parish School Board, dissolving the Intergovernmental Agreement which allowed the Jury to use the land and relinquishing the property in Nunez where the old water plant was located.
13. It is recommended that the Police Jury acquire quotes to cut the grass at 203 and 207 E. Woodman Road.
14. It is recommended that the Police Jury adopt an ordinance suspending the elevation requirements and waiving plumbing inspections for FEMA temporary manufactured home units on commercial sites and private sites for 18 months (December 8, 2008 – June 8, 2010), relative to Hurricanes Gustav and Ike.
15. It is recommended that the Police Jury approve payment of the attached bills that were submitted.
16. It is recommended that the Police Jury approve keeping the policy of waiving the demolition fee of \$500 when debris is hauled to the landfill after a home or business is destroyed by fire.
17. It is recommended that the Police Jury approve an amendment to the 2008 budget, in the amount of \$21,976.60, for a fuel allocation for the following stations:

Abbeville Fire Department	\$3,000.00
Erath Fire Department	\$3,000.00
Maurice Fire Department	\$2,734.20
Kaplan Fire Department	\$2,494.80
Gueydan Fire Department	\$2,154.60
LeBlanc Fire Department	\$1,310.40
Seventh Ward Fire Department	\$1,209.60
Delcambre Fire Department	\$ 982.80
Meaux/Nunez Fire Department	\$ 982.80
Indian Bayou Fire Department	\$ 932.40
District 13 Fire Department	\$ 882.00
Henry Fire Department	\$ 693.00
Little Chapel Fire Department	\$ 400.00
Pecan Island Fire Department	\$ 400.00
Klondike Fire Department	\$ 400.00
LeLeux Fire Department	\$ 400.00

18. It is recommended that the Police Jury authorize Legal Counsel to send a letter to the individual who filed a complaint against Lot No. 25A near Attakapas Ridge Subdivision, informing them that the lot is not within the subdivision, and, as such, Ordinance No. 2005-O-09 has no jurisdiction.

Respectfully submitted,
Wayne Touchet,
Chairman

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved the Finance Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations.

FINANCE COMMITTEE
DECEMBER 3, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A FINANCE COMMITTEE MEETING HELD ON DECEMBER 3, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury authorize Mr. Ed Villien with Arthur J. Gallagher Risk Management Services and Legal Counsel to re-construct historical loss damage data and work up a General Liability insurance quote for the Jury to consider.
2. It is recommended that the Police Jury approve taking over the handling of the maintenance and operating funds for the Maurice Fire Department, effective January 1, 2009.
3. It is recommended that the Police Jury approve payment of the following invoices to Sellers & Associates, Inc., relative to professional services provided:

A. Invoice No. 0011331
Flood Protection –
Erath/Bayou Tigre Phase II
Date: 08/17/08
Amount = \$28,763.63
Cost to be paid from General Fund

B. Invoice No. 0011332
Flood Protection –
Erath/Bayou Tigre Phase II
Date: 08/17/08
Amount = \$4,109.17
Cost to be paid from General Fund

E. Invoice No. 1216
VP Drainage District Maps
Date: 11/17/08
Amount = \$105.00
Cost to be paid from Election District No. 3, Sub Road 5 of 2

4. It is recommended that the Police Jury approve payment of Invoice No. 36-14301 to Louisiana Testing & Inspection, Inc., in the amount of \$454.55, relative to the "2008-2009 Capital Improvements Program – Phase III and IV".
5. It is recommended that the Police Jury approve payment of an invoice dated November 18, 2008 to the Avoyelles Parish Sheriff's Office, in the amount of \$9,268.00, relative to housing Vermilion Parish inmates for the month of October 2008. Cost to be paid from General Fund.
6. It is recommended that the Police Jury approve payment of Invoice No. 4936 to the St. Charles Parish Sheriff's Office, in the amount of \$487.80, relative to housing Vermilion Parish inmates for the month of October 2008. Cost to be paid from General Fund.

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

7. It is recommended that the Police Jury approve payment of an invoice dated November 11, 2006 to the St. Helena Parish Sheriff's Office, in the amount of \$4,164.54, relative to housing

Vermilion Parish inmates for the month of October 2008. Cost to be paid from General Fund.

It is further recommended that the Police Jury authorize Legal Counsel to send a letter with the attached check to the St. Helena 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.

8. It is recommended that the Police Jury authorize Legal Counsel to create a policy to evaluate requests for Industrial Revenue Bonds.
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 accept the settlement agreement received from U. S. Agencies Insurance Company and release U. S. Agencies Insurance Company and Ms. Denise Cormier and authorize the President to sign the release.

It is further recommended that the Police Jury authorize Legal Counsel to correspond with the insurance agent for the other individual involved in the automobile accident.

11. It is recommended that the Police Jury approve having the Vermilion Parish Library continue to receive insurance coverage and workers compensation insurance coverage through the Police Jury.
12. It is recommended that the Police Jury authorize Legal Counsel to send a letter to the North Vermilion Youth Athletic Association declining their request for financial assistance.
13. It is recommended that the Police Jury approve payment of Invoice No. 17263 to Copy Service, Inc., in the amount of \$9.71, relative to an accident on Albert Road. Cost to be paid from General Fund.
14. It is recommended that the Police Jury approve payment of Invoice No. 3196 to The Sellers Group, in the amount of \$3,162.50, relative to the "Multi-purpose Community Health Center". Cost to be paid from Health Unit Maintenance Fund.
15. It is recommended that the Police Jury approve payment of Application for Payment No. 10 to Minvielle Lumber Co., Inc., in the amount of \$179,062.14, relative to the "Multi-purpose Community Health Center". Cost to be paid from Health Unit Maintenance Fund.

16. It is recommended that the Police Jury approve payment of the following invoices to Sellers & Associates, Inc., relative to professional services provided:

A. Invoice No. 0011342
Solid Waste Landfill –
Monitoring Sewage Sludge
Date: 11/23/08
Amount = \$150.00
Cost to be paid from '94 Sales Tax

B. Invoice No. 0011343
Solid Waste Landfill –
Professional Services
Date: 11/23/08
Amount = \$150.00
Cost to be paid from '94 Sales Tax

C. Invoice No. 0011344
Solid Waste Landfill –
Prepare Tire Transporter Form
Date: 11/23/08
Amount = \$150.00
Cost to be paid from '94 Sales Tax

- 17 It is recommended that the Police Jury approve reimbursing Mr. John “Butch” Hollier the prorated 2008 taxes, in the amount of \$63.80, in accordance with the purchase agreement for the old Hollier Drug Store.
18. It is recommended that the Police Jury approve payment to T & T Asphalt, Inc., in the amount of \$6,950.00, relative to parking area improvements for voting precincts. Cost to be paid from General Fund.
19. It is recommended that the Police Jury authorize Legal Counsel to deny the claims of King Music and of Ms. Helen Gilliam.

Respectfully submitted,
Nathan Granger,
Chairman

Upon motion by Mr. Mark Poche`, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury amended the Special Finance Committee Recommendations to add: “It is recommended that the Police Jury approve increasing the Justice of the Peace and Constables travel line item for the 2009 budget by \$4,000.00.”

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

SPECIAL FINANCE COMMITTEE
NOVEMBER 24, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A SPECIAL FINANCE COMMITTEE MEETING HELD ON NOVEMBER 24, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY’S CONSIDERATION:

1. It is recommended that the Police Jury table the item of adding security to the Rabies and Animal Control Facility until the next Finance Committee Meeting of December 3, 2008.
2. It is recommended that the Police Jury add to the 2009 budget \$10,000.00 towards the cleaning and painting of the Rabies and Animal Control Facility.

It is further recommended that the Rabies and Animal Control Supervisor obtain more quotes for the cleaning and painting of the Rabies and Animal Control Facility.

3. It is recommended that the Police Jury approve the 2009 membership dues to the National Association of Counties (NACo), in the amount of \$1,099.00.

4. It is recommended that the Police Jury deny the 2009 membership dues to the Vermilion Parish Farm Bureau, in the amount of \$39.00, relative to membership dues.
5. It is recommended that the Police Jury approve the Vermilion Parish Clerk of Court's 2009 budget request.
6. It is recommended that the Police Jury table the request of the 15th Judicial District Court, relative to increasing the salaries for the Court Reporters.
7. It is recommended that the Police Jury approve the Vermilion Parish Registrar of Voters' 2009 budget request.
8. It is recommended that the Police Jury approve entering into a Cooperative Agreement with the Department of the Army Headquarters, 2nd Battalion 156th Infantry, whereby the 156th Infantry will provide assistance during times of declared emergencies, and the Police Jury will provide a yearly allocation of \$6,000.00 to be divided between the National Guard Headquarters and the Headquarters Company 2-156th Infantry.
9. It is recommended that the Police Jury adjust the monthly allocation to \$250.00 per month for the following individuals who maintain the Police Jury's pumps:
 - A. Mr. Edward Hardy
 - B. Mr. Ellis Rung
 - C. Mr. Perry Picard
 - D. Mr. Terry Bourque
10. It is recommended that the Police Jury approve the Vermilion ARC's 2009 Budget request and advise the Vermilion ARC to invoice the Jury for the year for the services provided (rent-a-plant and lawn maintenance).
11. It is recommended that the Police Jury approve the State of Louisiana, Department of Veterans Affairs 2009 budget request.
12. It is recommended that the Police Jury approve the Vermilion Council on Aging's 2009 budget request.
13. It is recommended that the Police Jury enter into a Cooperative Agreement with the Vermilion Soil & Water Conservation District, whereby the District will provide technical assistance and education to the people of Vermilion Parish, and the Police Jury will provide a yearly allocation of \$5,000.00.
14. It is recommended that the Police Jury approve the Vermilion Parish Office of Emergency Preparedness' 2009 budget request.
15. It is recommended that the Police Jury table the request from the Vermilion Parish Tax Assessor's Office until the review of the space assessment has been completed.

It is further recommended that the Police Jury approve a \$15,00.00 budget amount for the Vermilion Parish Tax Assessor's Office.

16. It is recommended that the Police Jury approve the Fire Department Allocations for the 2009 budget.

17. It is recommended that the Police Jury approve the purchase of a new fire truck for the Erath Fire Department and a new fire truck for the Henry Fire Department in the 2008 budget.

It is further recommended that the appropriate 2008 budget amendment be adopted.

18. It is recommended that the Police Jury approve the Vermilion Parish Public Works Complex's 2009 budget request.

19. It is recommended that the Police Jury approve the Vermilion Parish Mosquito Control's 2009 budget request contingent upon the Mosquito Control Supervisor providing a breakdown for the Capital Outlay request.

20. It is recommended that the Police Jury deny the 15th Judicial District Court's request for a 9% salary adjustment for the 15th JDC Judges secretaries.

It is further recommended that the Police Jury approve a 3% cost of living increase for the 15th Judicial District Court Judges secretaries in the 2009 budget on their anniversary dates.

21. It is recommended that the Police Jury approve the 15th Judicial District Court's request to replace the courtroom recording equipment for Courtroom No. 5 in the 2009 budget.

22. It is recommended that the Police Jury approve the 15th Judicial District Court's request to reframe the Judges' photographs in Courtroom No. 1 in the 2009 budget.

23. It is recommended that the Police Jury approve the Vermilion Parish Parishwide's 2009 budget request for equipment purchases.

24. It is recommended that the Police Jury partially approve the Vermilion Parish Cooperative Extension Service 2009 budget request with the exception of the Capital Improvement request until estimates on expanding the building and erecting a greenhouse can be gathered.

25. It is recommended that the Police Jury approve the Vermilion Parish Sheriff Department's 2009 budget request.

26. It is recommended that the Police Jury approve the Financial Plan for the renewal of the 2009 Beaver/Coyote/Nuisance Wildlife Management with the USDA – APHIS – Wildlife Service Contract with the United States Department of Agriculture.

27. It is recommended that the Police Jury approve the purchase of one new truck for the Rabies and Animal Control Department in the 2009 budget.

It is further recommended that the Police Jury deny the request of the Rabies and Animal Control Department to hire another individual.

It is further recommended that the Police Jury approve the Rabies and Animal Control Department's 2009 budget request with the revision of the two aforementioned items.

28. It is recommended that the Police Jury approve the Jury's cost-share relative to the LCDBG construction of the Multi-purpose Community Health Center in the 2009 budget.

29. It is recommended that the Police Jury approve the Vermilion Parish Solid Waste's 2009 budget request.

It is further recommended that the Police Jury approve budgeting for two (2) automated garbage trucks every year thereafter.

30. It is recommended that the Police Jury approve keeping the interest in reserve for the closure and post-closure for the Solid Waste Plant.

It is further recommended that the Police Jury approve allocating funds to the reserve in an amount to match the interest earned each year.

31. It is recommended that the Police Jury authorize that 12% be transferred from the Road District Funds to Parishwide Funds to pay for the 2009 bonds due from the \$1,000,000.00 Bond Issue for the 2009 budget.

32. It is recommended that the Police Jury approve to unfreeze the 3% cost-of-living adjustment for Police Jury employees for 2009.

It is further recommended that all further adjustments be frozen for the foreseeable future.

33. It is recommended that the Police Jury approve adjusting the salary of those employees who receive less than minimum wage on July 24, 2009 to the first step that meets the minimum wage standards.

34. It is recommended that the Police Jury approve budgeting for liability insurance coverage in 2009 for the Parish's equipment that is not required to have a license plate.

It is further recommended that the Police Jury request Mr. Ed Villien to attend the Finance Committee meeting of December 3, 2008 to discuss insurance coverage.

35. It is recommended that the Police Jury adopt a policy requiring all new Custodians to sign a confidentiality agreement and submit to a background check upon acceptance of employment.

It is further recommended that the Police Jury require current Custodians for the Courthouse to also sign the confidentiality agreement.

36. It is recommended that the Police Jury approve placing a 10-day Notice in the official journal announcing the closing of the Disaster Recovery Center in Erath and request the State to wait the 10 days before closing.

37. It is recommended that the Police Jury authorize Legal Counsel to draft a Cancellation of Lease for the property which housed the old Henry Fire Station.

Respectfully submitted,
Nathan Granger,
Chairman

Upon motion by Mr. Keith Meaux, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the Courthouse/Building Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations.

COURTHOUSE/BUILDING COMMITTEE
DECEMBER 3, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A COURTHOUSE/BUILDING COMMITTEE MEETING HELD ON DECEMBER 3, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury adopt the Vermilion Parish Debris Management Plan, as presented.
2. It is recommended that the Police Jury approve the Liaison Officer/Supervisor Job Description, as presented.
3. It is recommended that the Police Jury adopt the 2009 meeting calendar and designate the following dates for the regular Police Jury meeting:

January 5, January 20 (Tuesday), February 2, February 17 (Tuesday), March 2, March 16, April 6, April 20, May 4, May 18, June 1, June 15, July 6, July 20, August 3, August 17, September 8 (Tuesday), September 21, October 5, October 19, November 2, November 16, December 7, December 21.

Respectfully submitted,
Keith Meaux,
Chairman

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury approved the Rabies & Animal Control Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations.

RABIES AND ANIMAL CONTROL COMMITTEE
DECEMBER 3, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A RABIES CONTROL COMMITTEE MEETING HELD ON DECEMBER 3, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury approve the revised work schedule for the Animal Control Wardens, with minor adjustments, for a 6 month trial period.
2. It is recommended that the Police Jury approve hard-wiring the generator donated by PetFinders.com into the Rabies and Animal Control Facility, and request from PetFinders.com the needed hardware and funding for an electrician to hard-wire the generator.

3. It is recommended that the Police Jury authorize the President to sign the 2009 Cooperative Service Agreement for the Beaver/Coyote/Nuisance Wildlife Management with USDA-APHIS-Wildlife Services. Total cost for the agreement is \$59,219.00, with the Police Jury responsible for \$44,414.00 of the cost, and USDA responsible for \$14,805.00 of the cost.
4. It is recommended that the Police Jury table the item of installing a security system at the Rabies and Animal Control facility until clarification regarding drug storage has been received from the Drug Enforcement Agency.
5. It is recommended that the Police Jury adopt an ordinance regulating animal control in Vermilion Parish, as presented by Legal Counsel.

Respectfully submitted,
Ronald Menard,
Chairman

In accordance with the Rabies and Animal Control Committee Recommendations, the following ordinance was adopted:

ORDINANCE

2008-O-37

AN ORDINANCE REGULATING ANIMAL CONTROL IN VERMILION PARISH, LOUISIANA

WHEREAS, the Parish of Vermilion has experienced and continues to experience a population growth with a corresponding growth in its animal population, and

WHEREAS, the Parish of Vermilion recognizes its responsibility to promote responsible pet ownership and to uphold the care and custody of animals in the interest of public health, safety and welfare, and

WHEREAS, the Parish of Vermilion recognizes a need for an Ordinance providing for the registration and immunization against rabies, with an approved anti-rabies vaccine of all dogs and cats in Vermilion Parish, providing that such immunization must be performed once a year; providing proper means of identifying dogs or cats so immunized; providing that dogs and cats not immunized and properly tagged may be impounded; that on failure of owner to redeem impounded dog or cat and pay impounding fees, as well as immunization fee within the time provided the dog or cat shall be destroyed; that any animal that has bitten a human being or any other animal that is a rabies carrier shall be impounded as specified by the Parish Board of Health; providing a penalty for willfully or negligently allowing a dog or cat not immunized and properly tagged to run at large; providing for the effective date of this ordinance; and repealing all ordinances or parts of ordinances in conflict herewith.

NOW THEREFORE, BE IT ORDAINED by the Police Jury of Vermilion Parish as follows:

ARTICLE I. DEFINITIONS

- A. **ABANDON:** To set loose with the intent of avoiding responsibility for custody and care.
- B. **ANIMAL:** Any living, vertebrate creature, domestic or wild, except human beings.
- C. **ANIMAL CONTROL OFFICER:** A Vermilion Parish Animal Control Officer charged with enforcing this ordinance, or any other ordinance or law concerning animal control.
- D. **ANIMAL CONTROL FACILITY:** A place, designated by the Parish, in which animals taken into custody by an Animal Control Officer pursuant to this Ordinance are impounded.
- E. **AT LARGE:** Any animal not physically controlled by a human being by means of a leash or lead held by the human being, or not at all times accompanied by a person and does not at all times immediately respond to sound, mechanical, electrical or other command of its accompanying person. Exceptions are: a dog while actually working livestock, located or retrieving wild game in season for a licensed hunter, assisting law enforcement officers or while actually being trained for any of these specifically enumerated pursuits, and an animal that is physically or electronically secured within the confines of the real property of its owner or keeper or other real property that the owner or keeper has permission to use or is within a motor vehicle (excluding an unleashed animal in an open bed of a truck).
- F. **BODILY INJURY:** Any physical injury to a human being caused by an animal, including, but not limited to injuries wherein the skin is broken, interior or exterior bleeding or bruising occurs, or bone, tissue, or muscle damage is suffered.
- G. **CAT:** Any animal of the feline species.
- H. **DANGEROUS DOG:** Dangerous dog shall mean and include any of the following:
1. Any dog which has a propensity, tendency or disposition to attack without provocation, to cause injury, or to otherwise endanger the safety of human beings, pet animals or livestock.
 2. Any dog which is of a breed that its propensities for violent actions are known or should be reasonable foreseeable.
 3. Any dog kept primarily to guard public or private property which is not owned by a law enforcement agency.
- I. **DISTURBANCE:** Any act causing:
1. annoyance or agitation to another, or
 2. interference with the quiet and peaceful enjoyment to the property of another.
- J. **DOG:** Any animal of the canine species.

- K. FOWL:** Chickens, turkeys, guineas, pheasants, quail, ostriches, emus, ducks or geese.
- L. HUMANE SOCIETY:** Society for the Prevention of Cruelty to Animals (SPCA) or other organizations which promote animal welfare.
- M. INTACT ANIMAL:** An animal not spayed or neutered.
- N. KEEPER:** A person who has custodial or supervisory authority or control over an animal.
- O. LEASH OR LEAD:** A thong, cord, rope, chain or similar tether which holds an animal in restraint and which is not more than six (6) feet in length. A leash or lead longer than six feet in length or a retractable lead of variable length may be used when exercising or training an animal provided that the use of the leash or lead does not allow the animal to interfere with public access to or use of public areas.
- P. LIVESTOCK:** Any horse, mule, donkey, hog, cattle, sheep or goat.
- Q. OWNER:** Any person having control or purporting to have control over an animal; the occupant of the premises where the animal is usually kept or allowed to remain about their premises for a period of three (3) consecutive days or more. The parent or guardian of an owner under eighteen (18) years of age shall be deemed the owner as defined herein. If an animal has more than one owner, all such persons are jointly and severally liable for the acts or omissions of an owner under this Ordinance, even if the animal was in the possession of or under the control of a keeper at the time of the offense.
- R. PARISH:** The Parish of Vermilion, Louisiana and/or the Vermilion Parish Police Jury.
- S. PET ANIMAL:** Any animal owned or kept by a person for companionship or protection or for sale to others for such purposes.
- T. PROVOCATION:** Threatening, teasing or striking an animal. It also includes threatening or striking the animal's owner/keeper either on or off the animal owner/keeper's property.
- U. NUISANCE ANIMAL OR STRAY:** Any animal that is at large, has not been spayed or neutered, or is a vicious dog.
- V. SHELTER:** Access to a barn, doghouse, 3-sided structure with a roof over the structure, or other enclosed structure sufficient to protect the animal from the weather.
- W. UNDER RESTRAINT:** Under the physical or voice control of an owner or keeper.
- X. VICIOUS DOG:** Any dog that while at large has, without provocation, inflicted bodily injury upon or has caused the death of a person, pet animal or livestock, or any dog which on private property, without provocation, approaches in apparent attitude of attack, or bites, or inflicts injury upon any meter reader, delivery person, service

person, mail carrier or other person who is on the property of the owner or keeper of the dog who is there by reason of business or with invitation of said owner or keeper.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

A. Enforcement Personnel:

1. The office of Vermilion Parish Animal and Rabies Control, through the Vermilion Parish Police Jury is recognized as the entity with continuing jurisdiction over animal and rabies control within the Parish of Vermilion, Louisiana. Vermilion Parish Animal Control Officers shall be charged with all duties, including the issuing of verbal and written warnings, pertaining to the enforcement of ordinances, regulating or controlling the keeping of animals within the Parish for the purpose of performing such function.
2. Whenever a Vermilion Parish Animal Control Officer has probable cause to believe that a violation of this Ordinance has occurred, the Animal Control Officer may issue a warning or contact local law enforcement to summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of said charge to the violator. Animal Control Officers shall enforce all of the provisions of this Ordinance as set forth herein and shall take up and impound any animal authorized to be impounded by Vermilion Parish Ordinances and/or any provision of law.
3. Any person who shall knowingly interferes with, impedes or obstructs any Animal Control Officer who is attempting to discharge or is in the course of discharging an official duty or failing to obey the lawful order of an Animal Control Officer shall be guilty of a misdemeanor.

B. Right of Entry Granted:

1. Animal Control Officers are hereby authorized to enter upon any premises in the Parish (except a dwelling), for the purpose of impounding animals which they are authorized herewith to impound, or for any other purpose authorized by this Ordinance or by law.

ARTICLE III. RABIES CONTROL

- A. It shall be the duty of every person owning or having in his or her possession any dog or cat within the Parish at the age of or over three (3) months to register said animal with the Vermilion Parish Animal and Rabies Control.
- B. Before the Vermilion Parish Animal and Rabies Control shall register any dog or cat, it shall be presented by the owner of any person having possession of such animal a certificate certifying to such inoculation, signed by a licensed veterinarian showing that such animal has been inoculated on some date previous thereto, which shall render said animal immune for the period of registration as herein provided.
- C. The licensed veterinarian shall furnish such person owning or keeper of such animal at the time of registration with a metal tag for each animal which shall be attached to

said animal's collar, and which shall be numbered and shall indicate the calendar year for which such inoculation has been issued.

- D. All dogs and cats shall be registered and inoculated each year and that each certificate and tag issued by licensed veterinarian shall be effective for a period of one year from the date of the registration. All records of rabies vaccination books shall be kept at the Vermilion Parish Animal and Rabies Control facility for five years, after which they may be destroyed.
- E. All dogs or cats in the Parish of Vermilion over the age of three (3) months at any time after May 1, 1986, which has not be inoculated and registered with a licensed veterinarian, shall be seized and impounded by the Animal Control Officers, and held for a period of not to exceed four (4) days with a \$15.00 first day boarding fee and \$5.00 per day boarding fee thereafter. If any such animal is not claimed within four (4) calendar days after it is seized and impounded and requirements of this ordinance are not complied with, it shall be the duty of the Animal Control Officers to humanely destroy such animal, place animal with rescue, humane society, or in an adoption.
- F. It shall be the duty of the Parish Health Officer, or Animal Control Officers, or such other persons appointed by the Parish, to impound or to cause to be impounded any dog or cat or other animal, whether registered or not, that has bitten a human being within the Parish of Vermilion or has been bitten by an animal suspected of having rabies (or carrier of rabies), or any infection associated thereto, for a period of ten (10) days or longer for observation.

ARTICLE IV. CONTROL OF ANIMALS

A. Dangerous Dogs:

It is unlawful for the owner, or keeper, of a dangerous dog to:

1. Have the animal on their property without securing the dog from public contact by confining the dog in a manner approved by the Animal Control Officer that shall prevent the entry of the general public and to preclude any release or escape of the dangerous dog;
2. Have the animal on their property without warning the public about the presence of the dangerous dog by posting visible and legible signage on and around the property such as "BEWARE OF DOG" or other appropriate verbiage;
3. Have the animal off their property unless the dog is securely muzzled and adequately restrained on a lease;

B. Vicious Dogs:

It shall be unlawful to own, keep or possess any vicious dog. Any such vicious animal may be taken and impounded by the Animal Control Officer wherever a violation has occurred in the Animal Control Officer's presence, or whenever a citizen has registered a complaint, that adequately establishes probable cause, and after performing an investigation, the Animal Control Officer is of the opinion that the

situation requires that the dog be impounded to protect the safety and wellbeing of humans and/or other animals.

C. Dogs at Large Prohibited:

It shall be unlawful for any person to suffer or permit any dog or cat owned by him or in his possession, or kept by him about his premises to roam at large on the public roads or public places, or on enclosed or unenclosed lands or other properties, unless such dog or cat be in the immediate presence of the owner or keeper and under restraint. If a dog or cat is found to be at large in the Parish, the owner or keeper shall be presumed to have violated this section.

D. Disturbance of the Peace and Quiet Prohibited:

Each owner or keeper of a pet animal in the Parish shall not permit such pet animal to disturb the peace and quiet of any person by barking, whining, howling or making any noise that violates any Parish ordinance which regulates noise. If any pet animal does so, its owner or keeper shall be deemed guilty of a violation of this section, in addition to any other Parish ordinance or any State law.

E. Public Nuisance Prohibited:

It shall be unlawful for any owner or keeper of a pet animal to fail to exercise proper care and control of his pet animal so as to have it become a public nuisance. For the purposes of this section, a public nuisance includes:

1. A pet animal which is a safety or health hazard, which damages or destroys the property of another (including gardens, flower beds and trees), which creates offensive odors which materially interferes with or disrupts another person in the conduct of lawful activities at such person's home or which defecates upon private property not owned or exclusively occupied by the owner or keeper or upon public property if the feces deposited by the pet animal is not immediately removed by the owner or keeper.
2. A pet animal at large that jumps on, or that runs after and barks at horses, joggers, pedestrians, bicyclists or any vehicle being ridden or driven upon roads or any public grounds or place within the Parish.
3. A pet animal at large that chases or attacks wildlife (including birds) or livestock on property not owned or exclusively occupied by the owner or keeper, whether or not the pet animal injures or destroys the wildlife or livestock.

F. Animal Curbing Requirements:

1. No person shall knowingly allow an animal which is kept by that person to urinate upon private property or defecate upon a public street, right-of-way, public or private property, without the prior permission of the owner; however, it shall be a defense to said violation if,

- a. when an animal defecates on property described in this subsection, the animal's owner or keeper immediately shall remove any feces to a waste container; or
 - b. if the animal is serving a vision impaired person in any capacity to assist such person with a physical impairment; or
 - c. if the dog is on official police business.
2. No person shall be in control of a dog upon a public street, right-of-way, or upon any public property without being in possession of a device or material to remove feces to a waste container.
 3. No person shall allow his or her animal to disperse waste material placed for public or private collection upon any public street, right-of-way or upon public or private property.

G. Quantity of Pet Animals Restricted:

In no event shall any person keep at his or her premises more pet animals that can be properly maintained in a healthy condition without presenting a health or safety hazard to the owners, keeper or others and without constituting a nuisance to the occupants or neighboring properties.

H. Abandonment of Animals:

It shall be unlawful for a person to abandon any animal on any public or private property in the Parish.

ARTICLE V. IMPOUNDMENT AND RECLAMATION

A. Authorization for Capture and Impoundment:

In addition to the authority to issue warnings, summons and citation in conjunction with local law enforcement (police departments and/or Vermilion Parish Sheriff Department), Animal Control Officers are hereby further authorized to take or capture animals deemed by them to be included in the categories listed below, and to impound them at the Vermilion Parish Animal and Rabies and Control Facility or other appropriate location where the animals will be confined in a humane manner. Such officers may utilize such means as is necessary in order to capture an animal which appears to be vicious or is not able to be captured in any other humane manner. The officer may destroy such animal if necessary to avoid a physical threat to human beings.

1. Nuisance animals.
2. Animals at large, mistreated or abused.
3. Animals that constitute a safety or health hazard.

4. Animals which were being transported by a person involved in a vehicular accident when such person becomes unable to care for or maintain control over the animal as a result of the accident and there is no responsible person present to take possession of the animal.
5. Animals that will apparently be and have been left uncared for as a result of the death, arrest, detention or other incapacitation of the owner or keeper.

B. Notice of Impoundment:

If by tags or other identification attached to the animal or any other information given to a Vermilion Parish Animal Control Officer, the owner of an impounded animal can be identified, an Animal Control Officer or supervisor shall, immediately upon impoundment, notify the owner of such impoundment by telephone or written notice.

C. Minimum Time for Impoundment of Unclaimed Animals:

Unclaimed animals shall be kept at the Vermilion Parish Animal and Rabies Control Facility or other appropriate location for a period of four (4) days, during which period the owner may reclaim said animal, unless euthanasia prior to that time is deemed necessary or appropriate by a licensed veterinarian advising the Vermilion Parish Animal Control Officer. If any such dog or cat is not claimed within the four (4) days after it is seized and impounded, it shall be disposed of in a humane manner. An animal shall be evaluated by the Animal Control Officer to determine if said animal needs to be humanely euthanized.

D. Reclamation of Certain Animals Restricted or Prohibited:

Any pet animal which constitutes a known safety or health hazard, or which poses a known physical threat to human beings, shall not be released to the owner or any other person. The Animal Control facility may euthanize animals which, in the opinion of the Animal Control Officer, with the advice of a veterinarian advising the facility, constitute a safety or health hazard, or which pose a physical threat to human beings.

E. Reclamation of Animals by Employees of Animal Control Facility:

It shall be unlawful for any employee of the Animal Control Facility to redeem any dog or cat or become directly or indirectly interested in the reclamation or adoption of any dog or cat not owned by such employee of the Animal Control Facility prior to its impoundment.

F. Fees for Reclaiming:

Any person owning, possessing or keeping a dog or a cat which has been impounded may claim and retrieve from the Vermilion Parish Rabies Control Facility by payment of check or money order, an impounding fee of \$15.00 for the first day and a boarding fee of \$5.00 per day for each day during which the seized dog or cat has remained impounded. If said dog or cat has not been vaccinated against rabies within the immediately preceding twelve (12) months, said dog or cat will have an additional \$5.00 added to the impoundment fee. An owner or keeper reclaiming an impounded

dog or cat shall present a current certification of rabies vaccination for such animal issued by a licensed veterinarian prior to reclaiming the animal. If the owner or keeper cannot provide evidence of current rabies vaccination, the owner or keeper will get a written notice that will be voided upon presenting, within ten (10) business days, such evidence of current rabies vaccination.

ARTICLE VI. ADOPTION OF DOGS AND CATS

A. Adoption of Dogs and Cats by Humane Society or Rescues:

1. If not claimed by the owner or keeper, the Parish may transfer ownership of any dogs or cats held at the Vermilion Parish Animal and Rabies Facility after the expiration of the detention period, to the Humane Society, or any animal agency that is approved by the Parish and upon obtaining possession of each such dog or cat, agrees not to release the animal to any person other than the owner or person in charge until the following requirements have been met:
 - a. The signing of the Cooperative Agreement for Rescue/Release of Animals.
 - b. The Parish shall not transfer ownership for purposes of adoption of any dog or cat that is maimed or diseased and, in the opinion of the Animal Control Officer, not suitable for adoption. This subsection, however, shall not be construed to preclude transfer of an injured, maimed or diseased dog or cat to a veterinarian agreeable with the Humane Society, or other approved agency, with payment for subsequent veterinary service to be made by the Humane Society or by other approved agency, when it is mutually agreed to by the authorized agent of the Humane Society or the authorized agent of an approved agency and the Animal Control Officer.
 - c. If the owner of an injured animal is unknown and the animal has been hospitalized by a licensed veterinarian for a period of five (5) days, the animal may be released to the veterinarian upon his request.
 - d. The Parish shall not transfer ownership of any dog or cat to any group or individual that is known to have bitten a person or to have bitten another animal without justifiable provocation.

B. Adoption of Dog and Cats by Individuals:

At this time, there is no adoption program in place for individuals. We are currently working on one with the veterinarians of Vermilion Parish.

ARTICLE VII. PENALTIES

- A. Any person found guilty of violating any provision of this Ordinance, whether by acting in a manner declared unlawful or by failing to act as required, shall be punished as set forth below.

- B. Any violation of any provision of this Ordinance involving bodily injury to any person by a dog or other pet animal shall be punishable by a maximum sentence of thirty (30) days imprisonment, or maximum \$500.00 fine, or both, for each separate offense.
- C. Any violation of any provision of this Ordinance not involving bodily injury to any person by a dog or other pet shall be an offense punishable by a fine of not more than \$500.00 or imprisonment for not more than thirty (30) days, or both, for each separate offense.
1. The penalty for violation of any provision of Article IV (B) Vicious Dogs and Article IV (I) Abandonment shall be \$100.00 for the first offense and \$150.00 for the second offense.
 2. The penalty for the violation of any provision of Article IV (C) Dogs at Large shall be:
 - a. First Impoundment = \$15.00 + boarding
 - b. Second Impoundment = \$20.00 + boarding
 - c. Third Impoundment = \$50.00 + boarding
 - d. Fourth Impoundment = \$100.00 + boarding

The penalty for violation of any provision of Article IV (D) Disturbance of the Peace and Quiet shall be a written warning for the first offense; second offense will be turned over to law enforcement to follow through with court citations.

3. The penalty for violation of any provision of Article IV (E) Public Nuisance shall be a written warning for the first offense and a \$25.00 fine for the second offense.
4. The penalty for violation of any provision of Article IV (F) shall be a written warning for the first offense and a \$25.00 fine for the second offense.
5. The penalty for violation of any provision of Article IV (G) Improper Care or Treatment and Article IV (H) Quantity of Pet Animals shall be \$50.00 added to court costs and the impoundment fee and boarding of said animals for the first offense. Second offenses will be set for a court of law. In accordance with Louisiana Revised Statute R. S. 14:102 (B) (1) specifically authorizes an Animal Control Officer to remove and care for any animals found abandoned, neglected or cruelly treated or unfit for use. Pursuant to Section 102.0 (b) (1) of the Louisiana Revised Statutes, any animal(s) taken into custody pursuant to Louisiana Statute 102.6 may be placed for adoption, or humanely disposed of by sale, adoption or euthanasia after fifteen (15) days, following the date of impoundment, unless a cash or corporate surety bond is posted with the District Attorney's Office, pursuant to R. S. 14:102.2 (b) (4) of the Louisiana Revised Statutes, to secure the cost of the animals care and keeping for thirty (30) days. That cost of care comes to the amount of \$160.00 per animal for boarding, feed and care of the animal at the Rabies Control Facility.

D. The fees, deposits, penalties and fines as established by this Ordinance may be changed from time to time by action of the Vermilion Parish Police Jury.

ARTICLE VIII. SEVERABILITY

Should any section, clause, sentence or part of this Ordinance be adjudged by any Court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate this Ordinance as a whole or any part therefore, other than a part so declared to be invalid.

ARTICLE IX. REPEAL OF CONFLICTING ORDINANCES

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

ARTICLE X. EFFECTIVE DATE

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

* * * * *

Upon motion by Mr. Leon Broussard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the 2009 Acadiana Crime Lab Budget.

Upon motion by Mr. Keith Meaux, duly seconded by Mr. Dane Hebert, and unanimously carried, the Police Jury ratified the Section 5311 Monthly Activity Report for the month of October 2008, as submitted by the Vermilion Council on Aging, and directed the Administrator/Secretary-Treasurer to submit the report of the Department of Transportation and Development for reimbursement in accordance with the contract agreement.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved payment of the following Ward 8 Cemetery charges for the 4th Quarter of 2008, with the costs to be paid from the Ward 8 Cemetery Fund:

- (1) Diana G. Smith - \$300.00 – Record Keeping
- (2) Custom Cuts Lawn Service, LLC - \$525.00 – Maintenance of Shell Beach Cemetery
- (3) Lorphea Broussard - \$200.00 – Maintenance of Little Chapel Cemetery
- (4) Custom Cuts Lawn Service, LLC - \$550.00 – Maintenance of Broussard Cemetery
- (5) Custom Cuts Lawn Service, LLC - \$2,750.00 – Maintenance of Gueydan Cemetery
- (6) Roy Fontenot - \$50.00 – Gueydan Cemetery Board Member Quarterly Per Diem
- (7) William Hair - \$50.00 – Gueydan Cemetery Board Member Quarterly Per Diem
- (8) Chad Bertrand - \$50.00 – Gueydan Cemetery Board Member Quarterly Per Diem
- (9) Shelton Breaux - \$50.00 – Gueydan Cemetery Board Member Quarterly Per Diem

Mr. T. J. Prejean, Jr., stated that for many years, he had kept up the Perry Cemetery, under the mistaken understanding that it was a public cemetery. Once the Jury was made aware that the Cemetery was found to be a private cemetery, Mr. Prejean said he stopped maintaining the property. Recently, Mr. Prejean has received numerous phone calls regarding the old Perry Cemetery.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury authorized Legal Counsel to research the Perry Cemetery to determine if it is public or private and if the Jury can maintain the property.

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

Mr. Theriot reminded the Jurors that at the Police Jury meeting of June 16, 2008, a temporary variance of 180 days was granted to the subdivision identified as Acadiana Marina, allowing them to record the plat for the subdivision, contingent upon eventual compliance with the Subdivision Ordinance within the 180 days. The deadline for compliance was today, Monday, December 8, 2008. Mr. Theriot asked the Jury what they wished to do regarding this issue.

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury authorized Legal Counsel to send a letter to Ms. Mary Courville with Acadiana Marina inquiring about the status of the subdivision.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Chris Beraud, and unanimously carried, the Police Jury approved continuing the website maintenance and hosting by Acadiana Regional Development District, in the amount of \$1,386.80 for the Jury for 2009.

Upon motion by Mr. Cloris J. Boudreaux, duly seconded by Mr. Ronald Menard, and unanimously carried, the Police Jury approved payment of an invoice dated December 1, 2008 to the Richland Parish Detention Center, in the amount of \$2,853.63, relative to housing Vermilion Parish inmates for the month of November 2008 and to authorize Legal Counsel to send a letter with the attached check to the Richland Parish Detention Center, 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. Nathan Granger, duly seconded by Mr. Dane Hebert, and unanimously carried, the Police Jury approved reimbursing Mr. Toby Walker, in the amount of \$1,780.00, relative to concrete repair work at 2782 Reno Drive, Abbeville, LA. Cost to be paid from Parishwide, with reimbursement from Election District No. 03, Road District 5 of 2 in 2009.

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved payment on an invoice dated 12/02/08 to Foley & Judell, LLP, in the amount of \$1,400.00, relative to partial reimbursement for out-of-pocket expenses incurred in connection with special elections held on November 4, 2008. (Including typing, photocopies, long distance phone calls, travel, fax transmissions, recordation and filing fees, filing Proces Verbaux with Legislative Auditor, express courier service and preparation of the Submission under Section 5 of the Voting Rights Act.)

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved a temporary variance from the Parish's building code ordinance to allow temporary power for 30 days pending all inspections and elevation certificate for a new mobile home located at 6121 Aristede Road, Erath, Louisiana.

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

Mr. Moresi stated that he had reviewed the Parish's Solid Waste ordinance relative to picking up waste at one residence that was generated in a different location. Mr. Moresi informed the Jury that there is nothing in the current ordinance that relates to this.

Upon motion by Mr. Keith Meaux, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury authorized Legal Counsel to draft an amendment to Ordinance No. 1990-O-07 (Solid Waste Ordinance) relative to picking up waste at one residence that was generated in a different location.

Mr. Moresi informed the Jury that he had received a call from Ms. L. C. Mitchell, relative to their property which was placed on the blighted property list. Ms. Mitchell asked if the Jury would be willing to give her until the end of the year to demolish the building and clean the property.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Chris Beraud, and unanimously carried, the Police Jury authorized Legal Counsel to send a letter to Mr. and Mrs. L. C. Mitchell granting them until the end of the year to demolish the building on their property and clean the property as outlined by Ordinance No. 2008-O-10.

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury authorized Legal Counsel to draft an Intergovernmental Agreement between the Police Jury and the Coulee Kinney Drainage District relative to a drainage project on Claude Road, in Election District No. 02.

President Butaud informed all Jurors that there is a site visit planned for the Freshwater Bayou projects on Thursday, December 11, leaving at 9:30 a.m. from the Intracoastal City landing.

Mr. Dane Hebert stated that he wished to compliment Guinn Brothers for the spectacular job they did for the new bridge on Cedric Road.

Upon motion by Mr. Ronald Menard, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved paying 5% of the cost for the grant writer (Minvielle and Associates, Inc.) relative to a grant for new uniforms for the Little Chapel Fire Station.

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

Administrator/Secretary-Treasurer

President