

March 10, 2010

NEW IBERIA, LOUISIANA

IBERIA PARISH COUNCIL

The Parish Council of Iberia Parish, Louisiana met in Regular Session in the Parish Council Chambers, Main Courthouse Building, New Iberia, Louisiana, on Wednesday, March 10, 2010.

The following members were recorded PRESENT:

Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

ABSENT: None.

OTHERS IN ATTENDANCE: Ernest Freyou, Parish President
Sally Angers, Chief Administrative Officer
Kevin Hagerich, Public Works Director
Eric Duplantis, Legal Counsel
Dean Wattigny, Legal
Kimberly Segura, Finance Director
Prescott Marshall, Communications Director
Troy Hebert, State Senator

The Parish Council of the Parish of Iberia, State of Louisiana, was duly convened as the Governing Authority of the Parish of Iberia by Mr. Jerome Fitch, its Chairman, who announced that the Council was now ready to conduct its business.

14691

Chairman Jerome Fitch recognized a student in the audience from New Iberia Senior High School.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Thomas Landry, that the Iberia Parish Council does hereby dispense with the reading of the minutes of the Regular Meeting of February 10, 2010 and approve said minutes as published.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

PERSONS TO ADDRESS THE COUNCIL:

1. Parish President Ernest Freyou to make an initial presentation of a proposed road list and cost estimates for the proposed 2010 Road Improvements Project and to suggest possible budget adjustments as necessary for the 2010 Road Construction Finance or Public Works Committee be called to discuss this matter further.
2. Public Works Director Kevin Hagerich presented a Public Works Briefing detailing the Public Works duties and schedules.

SPECIAL BUSINESS:

A motion was made by Mr. Larry Richard seconded by Mr. Bernard Broussard, that the Iberia Parish Council does hereby recess its Regular Session and convene into Executive Session to discuss ongoing settlement negotiations with the City of New Iberia, pertaining to the City of New Iberia vs. Iberia Parish Council, Docket No. 115420, which is scheduled for trial for March 8-10th.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

Chairman Jerome Fitch announced that the Iberia Parish Council was now in Executive Session at 7:15 p.m. and requested all persons to clear Chambers.

Per the direction of the Chairman, the following persons were allowed to remain in the Executive Session: Parish President Ernest Freyou, CAO Sally Angers, Assistant District Attorney Eric Duplantis and Attorney Dean Wattigny.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Naray Hulin, that the Iberia Parish Council does hereby adjourn its Executive Session at 8:10 p.m. and reconvene into Regular Session.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

14693

Following the Executive Session, the Chairman requested that the Council provide direction to the District Attorney's Office regarding the litigation.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Roger Duncan, that the following be adopted:

RESOLUTION NO. 2010-82

A RESOLUTION TO DIRECT LEGAL COUNSEL TO SEND A PROPOSAL TO THE CITY OF NEW IBERIA AS DISCUSSED IN EXECUTIVE SESSION, AND FURTHER TO MAKE PUBLIC SAID PROPOSAL, AND TO EXTEND AN INVITATION TO THE CITY OF NEW IBERIA TO HOLD A JOINT SPECIAL MEETING TO DISCUSS THIS ITEM FURTHER IF THE CITY OF NEW IBERIA REJECTS SAID PROPOSAL.

WHEREAS, the City of New Iberia and Iberia Parish are currently involved in litigation regarding the Tax Increment Financing (TIF) District created by the Parish; and

WHEREAS, Iberia Parish is willing to submit a proposal to the City of New Iberia for the settlement of this pending litigation; and

WHEREAS, the Iberia Parish Council would like the proposal to be made public so that the public is informed regarding this proposal; and

WHEREAS, the Iberia Parish Council is willing to hold a joint Special Meeting with the City of New Iberia if the City of New Iberia rejects said proposal.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby direct the Legal Counsel to send a proposal to the City of New Iberia as discussed in Executive Session.

BE IT FURTHER RESOLVED, that this proposal shall be made public.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby extend an invitation to the City of New Iberia to hold a joint Special Meeting to discuss this item further if the City of New Iberia rejects said proposal.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of

March, 2010.

14695

Mr. Eric Duplantis, Legal Counsel for Iberia Parish, then explained the recommended proposal for the City of New Iberia in further detail and advised that he will make our offer public.

STANDING COMMITTEE ITEMS:

ITEM #2010-03-H (Introduced by Parish President)

The Iberia Parish Council discussed and considered a Resolution amending the 2010 General Fund Budget in the total amount of \$181,084 to accept grant funding for the Homeland Security SHSHP09 Grant.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Charles Williams, that this item be moved forward to the next agenda of March 24, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

ITEM #2010-03-I (Introduced by Glenn Romero, District 9)

The next item the Iberia Parish Council discussed and considered was a Resolution amending the 2010 Royalty Fund Budget to include additional funding to the proposed 2010 Road Improvements Project Line Item in the amount of \$2 million, to include funding for the Jail Fencing Project in the amount of \$344,150 and to authorize the transfer of the remaining funding of \$155,850 to the Courthouse/Annex Renovations Line Item, all to be funded from the 2010 Royalty Fund Budget, Parish Government Building Line Item.

A motion was made by Mr. Glenn Romero, seconded by Mr. Bernard Broussard, that this item be moved forward to the next agenda of March 24, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: Troy Comeaux, and Barry Verret.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

ITEM #2010-03-J (Introduced by Parish President)

The Iberia Parish Council discussed and considered a Resolution amending the 2010 Fire Protection District No. 1 Fund Budget in the amount of \$7,370 to provide funding for a building for the mechanic and fencing, all to be funded from the 2010 Fire Protection District No. 1 Fund Budget, Fund Balance-Previous Years.

Finance Director Kimberly Segura advised the Council that additional funding had been requested by the Fire Protection District No. 1 to provide funding for advertising costs associated with the tax renewal. The amended total amount would be \$28,065 for all three items.

A motion was made by Mr. John Berard, seconded by Mr. Roger Duncan, that this item be moved forward to the next agenda of March 24, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

ITEM #2010-03-K (Introduced by Parish President)

The Iberia Parish Council discussed and considered a Resolution declaring various computer equipment as surplus and further authorizing the disposal of said property in accordance with law.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Charles Williams, that this item be moved forward to the next agenda of March 24, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

14697

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

ITEM #2010-03-L (Introduced by Parish President)

The Iberia Parish Council then discussed and considered a Resolution authorizing the Parish President to execute a Professional Services Agreement for Engineering Services related to the Hazard Mitigation Grant Program (File No. 565-01).

A motion was made by Mr. Roger Duncan, seconded by Mr. Charles Williams, that this item be moved forward to the next agenda of March 24, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

The Iberia Parish Council then discussed and considered a Resolution amending the 2010 Royalty Fund Budget in the amount of \$200,000 to provide funding for engineering services related to the Jail HVAC Project, all to be funded from said allocation for said project, and further authorizing the Parish President to execute said Engineering and Project Management Agreement.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Roger Duncan, that this item be tabled at this time.

This motion to table having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion to table was declared adopted this 10th day of March, 2010.

ITEM #2010-03-N (Introduced by Parish President)

The Iberia Parish Council discussed and considered a Resolution approving 2.5% merit increases for Administration's Directors as follows: from \$70,466 to \$72,228 for the Chief Administrative Officer, from \$73,544 to \$75,383 for the Public Works Director; from \$56,837 to \$58,258 for the Human Resources Director, and from \$62,317 to \$63,875 for the Finance Director.

A motion was made by Mr. Barry Verret, seconded by Mr. Naray Hulin, that this item be moved forward to the next agenda of March 24, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

14699

A motion was made by Mr. Naray Hulin, seconded by Mr. M. Larry Richard, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding Ordinances and Resolutions being considered for final adoption.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

Upon hearing no comments, the Chairman requested a motion to adjourn the Public Hearing and to reconvene into Regular Session.

A motion was made by Mr. Bernard Broussard, seconded by Mr. Barry Verret, that the Iberia Parish Council does hereby recess its Public Hearing and return to Regular Session.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Bernard Broussard, seconded by Mr. Naray Hulin, that the following be adopted:

ORDINANCE NO. 2010-03-4205

AN ORDINANCE TO ABOLISH THE AGRICULTURAL ARENA AUTHORITY, WHICH IS CHARGED WITH OPERATIONS AND MAINTENANCE OF THE SUGAR CANE FESTIVAL BUILDING.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY RESOLVE:

- SECTION 1. The Iberia Parish Council authorized the creation of the Agricultural Arena Authority on February 8, 1983.
- SECTION 2. The purpose of said Authority was to promote all aspects of agriculture, through the construction and operation of an agricultural arena for activities such as shows and exhibits of an agricultural nature.
- SECTION 3. Activities such as shows and exhibits of an agricultural nature are no longer housed at the Sugar Cane Festival Building property and are now being handled by the SugArena.
- SECTION 4. It is the intent of the Iberia Parish Council that the SugArena continue to handle such shows and exhibits as detailed above.
- SECTION 5. The Iberia Parish Council does hereby abolish the Agricultural Arena Authority, which is charged with the operations and maintenance of the Sugar Cane Festival Building.
- SECTION 5. That this Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Ordinance was declared adopted this 10th day of March, 2010.

14701

A motion was made by Mr. M. Larry Richard, seconded by Mr. Naray Hulin, that the following be adopted:

ORDINANCE NO. 2010-03-4206

AN ORDINANCE GRANTING A SPECIAL USE/CONDITIONAL USE PERMIT FOR PROPERTY LOCATED ON AVERY ISLAND ROAD APPROXIMATELY 1,765' NORTHEAST OF ITS INTERSECTION WITH ADRAS/AVERY ISLAND ROADS, WHICH IS CURRENTLY OWNED BY MICHAEL J. AND DELORES BOUTTE, AND ZONED AS MIXED RESIDENTIAL (R-2), PURSUANT TO PUBLIC HEARING, REVIEW AND RECOMMENDATION BY THE IBERIA PARISH REGIONAL ZONING COMMISSION.

THAT THE IBERIA PARISH COUNCIL DOES HERE ORDAIN:

SECTION 1. Application has been made to amend the Iberia Parish Zoning Ordinance (Ordinance No. 2009-02-4099, dated February 25, 2009) to authorize a change in the zoning classification of a tract of property located in District 13 on Avery Island Road, currently owned by Michael J and Delores Boutte from Mixed Residential (R-2) to Manufactured (Mobile) Home Park (R-4).

SECTION 2. The Iberia Parish Regional Zoning Commission recommends granting a special use permit instead of recommending approval of the reclassification request from Mixed Residential (R-2) to Manufactured (Mobile) Home Park (R-4).

SECTION 3. The Iberia Parish Regional Zoning Commission recommends granting a Special Use/Conditional Use Permit contingent:

3. The site will only be utilized as a recreational vehicle camp with a maximum number of three (3) camp sites. Additional camp sites may be added only upon approval of the Iberia Parish Council after review and recommendation of the Iberia Parish Regional Zoning Commission, subsequent to public notice and public hearing.
4. The site cannot be developed for mobile home lots or a mobile home park.
5. Placement of a mobile home or mobile home park on the site will result in a zoning violation and revocation of the Special Use/Conditional Use Permit.
6. The site must be developed in accordance with the site plan submitted as part of the reclassification request. The site must seek and secure all appropriate approvals from all Parish Governmental Agencies and any/all applicable State and Federal Regulations.
7. Violation of any of these conditions will result in the immediate revocation of the Special Use/Conditional Use Permit.

SECTION 4. The Legal Description of the property is: That certain lot of ground, together with all improvements, rights, ways, privileges and

servitudes thereunto appertaining, located in Sections 5 and 30, Township 13 South - Range 6 East, Iberia Parish, Louisiana, being more particularly described as follows:

That certain lot of ground containing and measuring 0.810 acres described by commencing at a point located at the intersection of the easterly right-of-way line of La. Highway 329 (Avery Island Road) and the northerly right-of-way line of Adras Road, thence in a northeasterly direction along the right of way line of La. Highway 329 approximately 1765' to a point identified by a found 5/8" iron rod, thence S 40°40'27" E 3.27' to a point, being designated as the Point of Beginning: thence S 40°40'27" E, 155.55' to a point identified by a found 5/8" iron rod, thence S 47°14'00" W, 296.13' to a point identified by a found 5/8" iron rod, thence S 47°14'00" W, 10.20' to a point, thence N 25°58'32" W, 57.07' to a point, thence N 3°14'44" W, 33.30' to a point, thence N 30°04'24" E, 62.52' to a point identified by a found right-of-way monument, thence N 28°46'36" E, 173.86' to a point identified by a found right-of-way monument, thence N 45°20'55" E, 49.71' to the Point of Beginning.

SECTION 5. This Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

A substitute motion was made by Mr. M. Larry Richard, seconded Mr. Charles Williams, that this item be tabled until complete information is available from the Zoning Commission.

This substitute motion to table having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: Troy Comeaux.

ABSENT: None.

And the substitute motion to table was declared adopted this 10th day of March, 2010.

14703

A motion was made by Mr. John Berard, seconded by Ms. Maggie F. Daniels, that the following be adopted:

RESOLUTION NO. 2010-72

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET IN THE AMOUNT OF \$4,000 TO PROVIDE GRANT FUNDING FOR THE DEVELOPMENT OF THE ACADIANA ENTERTAINMENT INDUSTRY, WHICH FUNDS SHALL BE COMBINED WITH THOSE OF SEVERAL OTHER GOVERNMENTAL ENTITIES OF THE AREA TO DEVELOP A DATA BASE FOR THE USE OF LOCAL BUSINESSES BY THE FILMING INDUSTRY UTILIZING THE STATE OF LOUISIANA AND THE ACADIANA REGION, ALL TO BE FUNDED FROM THE 2010 GENERAL FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, several parishes have participated in discussions regarding the growth of the Acadiana Entertainment Industry; and

WHEREAS, the purpose of said discussions is to develop a regional approach to showcase the public/private resources Acadiana has to offer the global entertainment industry; and

WHEREAS, a request has been made to assist said Industry with promoting our region by supporting industry events; and

WHEREAS, a request for \$4,000 in grant funding is being requested for the Acadiana Entertainment Industry.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the amount of \$4,000 to provide grant funding for the development of the Acadiana Entertainment Industry, which funds shall be combined with those of several other governmental entities of the area to develop a data base for the use of local businesses by the filming industry utilizing the State of Louisiana and the Acadiana region, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
499000 0000 0000 0000	Fund Balance-Prev Yrs	\$110,737 +	\$4,000
600036 6420 0000 0000	Acadiana Entertainment	-0- +	\$4,000

BE IT FURTHER RESOLVED, that this funding shall be funded from the 2010 General Fund Budget, Fund Balance - Previous Years.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

14705

A motion was made by Mr. Naray Hulin, seconded by Mr. Bernard Broussard, that the following be adopted:

RESOLUTION NO. 2010-73

A RESOLUTION ACCEPTING THE FINANCIAL AUDIT FOR THE IBERIA PARISH HOSPITAL SERVICE DISTRICT NO. 1 FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009 AND FURTHER AUTHORIZING THE SUBMISSION OF SAID AUDIT REPORT TO THE LOUISIANA LEGISLATIVE AUDITOR IN ACCORDANCE WITH LAW.

WHEREAS, the Iberia Parish Hospital Service District No. 1 Board has submitted its annual financial audit for the fiscal year ended September 20, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accept the Financial Audit for the Iberia Parish Hospital Service District No. 1 for the fiscal year ended September 30, 2009.

BE IT FURTHER RESOLVED, that said District is hereby authorized to submit said audit report to the Louisiana Legislative Auditor in accordance with law.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Roger Duncan, seconded by Mr. M. Larry Richard, that the following be adopted:

RESOLUTION NO. 2010-74

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE AMOUNT OF \$81,190 TO ACCEPT GRANT FUNDING FOR THE PORT OF IBERIA BRIDGE REPLACEMENT - PORT ROAD OVER COMMERCIAL CANAL (AWARD NO. MO8AF16237, CIAP MMOM404000, MG1GRLA4ZLCF000) AND IN THE AMOUNT OF \$82,270 FOR THE PORT OF IBERIA BRIDGE REPLACEMENT - DAVID DUBOIN OVER COMMERCIAL CANAL (AWARD NO. MO8AF16236, CIAP MMOM404000, MG1GRL4ZLCF000), ALL TO BE FUNDED FROM GRANT FUNDING FROM THE U.S. DEPARTMENT OF THE INTERIOR'S MINERALS MANAGEMENT SERVICE.

WHEREAS, the U.S. Department of Interior's Minerals Management Service Grant Award has awarded to Iberia Parish for two projects; and

WHEREAS, the bridge replacements of Port Road over Commercial Canal and David Duboin over the Commercial Canal have been approved; and

WHEREAS, it is necessary to amend the 2010 Royalty Fund Budget to accept said grant funding for these bridge replacements.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the amount of \$81,190 to accept grant funding for the Port of Iberia Bridge Replacement - Port Road over Commercial Canal (Award No. MO8AF16237, CIAP MMOM404000, MG1GRLA4ZLCF000) and in the amount of \$82,270 for the Port of Iberia Bridge Replacement - David Duboin over Commercial Canal (Award No. MO8AF16236, CIAP MMOM404000, MG1GRL4ZLCF000), all to be funded from grant funding from the U.S. Department of the Interior's Minerals Management Service, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
Port Road Bridge:			
431000 3200 0000 1030	Fed-CIAP-Port Rd.	-0-	+ \$81,190
533100 3200 0000 1030	Arch/Eng Fees	-0-	+ \$81,190
David Duboin Bridge:			
431000 3200 0000 1030	Fed-CIAP-D. Duboin	-0-	+ \$82,270
533100 3200 0000 1031	Arch/Eng Fees	-0-	+ \$82,270

BE IT FURTHER RESOLVED, that said funding shall be funded from grant revenues received from the U.S. Department of the Interior's Minerals Management Service.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

14707

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Bernard Broussard, seconded by Mr. Charles Williams, that the following be adopted:

RESOLUTION NO. 2010-75

A RESOLUTION AMENDING THE 2010 VARIOUS FUND BUDGETS RECEIVING AD VALOREM TAXES IN THE TOTAL AMOUNT OF \$94,367 TO PROVIDE FUNDS FOR THE REIMBURSEMENT OF COURT COSTS FOR THE ASSESSOR'S EXPENDITURES RELATED TO OIL AND GAS PROPERTIES, ALL AS PER STANDING ITEM NO. 2010-02-E OF FEBRUARY 10, 2010.

WHEREAS, the Iberia Parish Assessor has incurred court costs for expenditures related to oil and gas properties totaling \$305,000; and

WHEREAS, the pro-rata share for Iberia Parish Government is \$94,367, as per agreement with the Iberia Parish Assessor; and

WHEREAS, it is necessary to amend the 2010 various fund budgets to fund this reimbursement.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the amount of \$94,366 to provide funds for the reimbursement of court costs for the Assessor's expenditures related to oil and gas properties, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
General Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$110,737	+ \$30,872
600037 1919 0003 0000	Assessor	-0-	+ \$30,872
Jail Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	-0-	+ \$2,858
600037 2310 0000 0000	Assessor	-0-	+ \$2,858
Library Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$10,250,40	+ \$20,293
600037 5500 0000 0000	Assessor	-0-	+ \$20,293
Library Fund - Bond:			
599000 0000 0000 0000	Fund Bal-Prev Yrs	\$21,729	+ \$1,994
600037 5500 0000 0000	Assessor	-0-	+ \$1,994
Parishwide Drainage Mtce. Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$1,127,646	+ \$13,780
600037 3200 0000 0000	Assessor	-0-	+ \$13,780
Health Unit Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$50,000	+ \$6,646
600037 4120 0000 0000	Assessor	-0-	+ \$6,646
Fire Protection District No. 1 Fund:			
600037 2210 0000 0000	Fund Bal-Prev Yrs	-0-	+ \$17,925
499000 0000 0000 0000	Assessor	-0-	+ \$17,925

BE IT FURTHER RESOLVED, that this item is being adopted in accordance with Standing Item No. 2010-02-E of February 10, 2010.

14709

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Glenn Romero, seconded by Mr. Roger Duncan, that the following be adopted:

RESOLUTION NO. 2010-76

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET IN THE TOTAL AMOUNT OF \$169,854 TO ACCEPT GRANT FUNDING FOR THE HOMELAND SECURITY SHSHP08 GRANT, ALL AS REVISED TO INCLUDE A TRAVEL AND TRAINING LINE ITEM.

WHEREAS, Iberia Parish Government has been successful in obtaining grant funding for the Homeland Security SHSHP08 Grant; and

WHEREAS, said grant funding is proposed to be revised to include a Travel and Training Line Item; and

WHEREAS, it is necessary to amend the 2010 General Fund Budget to accept said grant funding.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the total amount of \$169,854 to accept grant funding for the Homeland Security SHSHP08 Grant, all as revised to include a Travel and Training Line Item, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
511000 2944 0000 1032	Personal Services	-0- +	\$12,500
512000 2911 0000 1032	Personal Services-PT	-0- +	\$2,166
521000 2911 0000 1032	Group Insurance	-0- +	\$8,434
522000 2911 0000 1032	Social Security	-0- +	\$134
522100 2911 0000 1032	Medicare	-0- +	\$213
523000 2911 0000 1032	Parochial Retirement	-0- +	\$1,969
526000 2911 0000 1032	Workers Compensation	-0- +	63
574100 2911 0000 1032	Equipment	-0- +	16,532
574200 2911 0000 1032	Donated Equipment	-0- +	127,843

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

14711

A motion was made by Mr. Larry Richard, seconded by Mr. Roger Duncan, that the following be adopted:

RESOLUTION NO. 2010-77

A RESOLUTION SUPPORTING PROPOSED LEGISLATION BY REPRESENTATIVE SIMONE CHAMPAGNE WHICH WOULD CREATE THE IBERIA PARISH LEVEE DISTRICT, AS REQUESTED BY THE IBERIA PARISH HURRICANE PROTECTION DISTRICT.

WHEREAS, the Iberia Parish Hurricane Protection District has requested proposed legislation to create the Iberia Parish Levee District; and

WHEREAS, District 49 Representative Simone B. Champagne will introduce said proposed legislation to create the Iberia parish Levee District.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby support proposed legislation by Representative Simone Champagne which would create the Iberia Parish Levee District, as requested by the Iberia Parish Hurricane Protection District.

BE IT FURTHER RESOLVED, that said Resolution shall be forwarded to the Iberia Parish Legislative Delegation for their support.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Larry Richard, seconded by Mr. Barry Verret, that the following be adopted:

RESOLUTION NO. 2010-78

A RESOLUTION VERIFYING THE EXECUTION OF THE SUPPLEMENT ACT OF MORTGAGE SECURING THE SERIES 2009A AND SERIES 2009B HOSPITAL REVENUE BONDS OF THE PARISH AUTHORIZED BY ORDINANCE NO. 2009-10-4145, AND AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 6 IN CONNECTION THEREWITH.

WHEREAS, the Iberia Parish Council, State of Louisiana (the "Parish Council"), acting as the governing authority of the Parish of Iberia, State of Louisiana (the "Issuer"), on September 23, 2009, introduced and on October 7, 2009, adopted Ordinance No. 2009-10-4145 authorizing the issuance of (i) Four Million Four Hundred Thousand Dollars (\$4,400,000) of Hospital Revenue Hurricane Ike Bonds, Series 2009A (the "Series 2009A Bonds") and (ii) Two Million Two Hundred Thousand Dollars (\$2,200,000) of Hospital Revenue Bonds, Series 2009B (the "Series 2009B Bonds" and collectively, the "Bonds"), of the Issuer, for the purpose of funding improvements to the Iberia Medical Center (the "Medical Center"); and

WHEREAS, the Parish executed a Supplemental Act of Mortgage (the "Supplemental Mortgage") as additional security for the Bonds, which Supplemental Mortgage was recorded in the Mortgage Records of the Parish on November 13, 2009, in Book 1349, Page 236, File Number 2009-00013392; and

WHEREAS, the Parish now desires to verify the execution of the Supplemental Act of Mortgage and to authorize the execution of Supplemental Agreement No. 6 in connection with the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Iberia Parish Council, State of Louisiana, acting as the governing authority of the Parish of Iberia, State of Louisiana, that:

SECTION 1. The execution of the Supplemental Mortgage as additional security for the Bonds is hereby ratified and approved.

SECTION 2. The Parish President, Chairman of the Iberia Parish Council and Clerk of the Iberia Parish Council are hereby authorized to execute Supplemental Agreement No. 6 by and between the Parish and Hospital Service District No. 1 of the Parish of Iberia, State of Louisiana (the "District"), in substantially the form presented at this meeting, with such changes as may be approved by bond counsel or counsel to the Parish.

SECTION 3. The execution of the Supplemental mortgage and the signatures of the Parish President, Chairman of the Iberia Parish Council and Clerk of the Iberia Parish Council on the Supplemental Mortgage are hereby verified and approved.

SECTION 4. The signatures of the said Parish President, Chairman of the Iberia Parish Council and Clerk of the Iberia Parish Council upon such documents set forth above, or as may be otherwise required for or necessary convenient or appropriate to

14713

effectuate the purpose of this resolution, are deemed to be conclusive evidence of their due exercise of the authority vested in them hereunder.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Bernard Broussard, seconded by Mr. Thomas J. Landry, that the following be adopted:

RESOLUTION NO. 2010-79

A RESOLUTION AUTHORIZING THE CONTACTING OF POTENTIAL FIRMS TO UPDATE, REPLACE AND/OR SERVICE THE VOTING MACHINE SYSTEM OF THE IBERIA PARISH COUNCIL CHAMBERS, AS SAID SYSTEM HAS BEEN IN PLACE FOR OVER TWENTY YEARS AND IS CURRENTLY IN NEED OF POSSIBLE UPDATING OR SERVICING.

WHEREAS, the Iberia Parish Council utilizes a Voting Machine System to officially record the votes during Committee and/or Council meetings; and

WHEREAS, said system has been in place for over twenty years and said system is in need of updating, replacing, and/or servicing to ensure the proper recording of votes.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the contacting of potential firms to update, replace, and/or service the voting machine system of the Iberia Parish Council Chambers, as said system has been in place for over twenty years and is currently in need of possible updating or servicing.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

14715

A motion was made by Mr. Barry Verret, seconded by Mr. John Berard, that the following be adopted:

RESOLUTION NO. 2010-80

A RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO CONSIDER AN IMMEDIATE FEASIBILITY STUDY FOR THE REDUCTION OF THE SPEED LIMIT OF LA. 344 (SUGAR OAKS ROAD) FROM ITS INTERSECTION WITH LA. 86 (LOREAUVILLE ROAD) TO THE BRIDGE OVER THE BAYOU TECHE FROM 45 MPH, DUE TO THE INCREASED NUMBER OF BUSINESSES, RESIDENCES AND VOLUME OF TRAFFIC UTILIZING SAID HIGHWAY, ALL LOCATED IN DISTRICT 8.

WHEREAS, the speed limit on La. 344 (Sugar Oaks Road) from its intersection with La. 86 (Loreauville Road) to the bridge over the Bayou Teche is currently set at 45 mph; and

WHEREAS, there has been an increase in the number of business, residences, and the volume of traffic utilizing said highway; and

WHEREAS, it is being requested that a feasibility study be conducted to determine a reduction in the speed limit for this section of highway.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the Louisiana Department of Transportation and Development to consider an immediate feasibility study for the reduction of the speed limit of La. 344 (Sugar Oaks Road) from its intersection with La. 86 (Loreauville Road) to the bridge over the Bayou Teche from 45 MPH, due to the increased number of businesses, residences and volume of traffic utilizing said highway, all located in District 8.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

A motion was made by Mr. Roger Duncan, seconded by Mr. Naray Hulin, that the following be adopted:

RESOLUTION NO. 2010-81

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO ISSUE A LETTER OF NO OBJECTION TO THE STATE LAND OFFICE ON BEHALF OF CARGILL DEICING TECHNOLOGY (CUP P2009114).

WHEREAS, Cargill Deicing Technology has applied for a Coastal Use Permit/Consistency Determination for proposed access to dredging, pile clusters, and a 40' x 200' work barge to be installed; and

WHEREAS, five temporary 3-pile clusters will be installed to assist with barge location; and

WHEREAS, the spoil from this project will be placed along the bank line in a manner conducive to marsh establishment; and

WHEREAS, approximately 5,083 cubic yards of excavation will be required for access; and

WHEREAS, Cargill Deicing Technology is requesting a Letter of No Objection to their proposed project.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to issue a Letter of No Objection to the State Land Office on behalf of Cargill Deicing Technology (CUP P2009114; COE MVN-200-02702-WLL).

BE IT FURTHER RESOLVED, that this Resolution and letter will be forwarded to the State Land Office in Baton Rouge, LA.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, and Naray Hulin.

NAYS: Maggie F. Daniels.

RECUSED AT VOTING: M. Larry Richard.

ABSENT: None.

And the Resolution was declared adopted this 10th day of March, 2010.

14717

COUNCIL MEMBERS/PRESIDENT ANNOUNCEMENTS

1. Mr. Troy Comeaux reminded the Council of the Big Bass Classic that will be held March 14, 2010.
2. Mr. M. Larry Richard invited the Council to attend a Regional Industry Day informational meeting to be held on Friday, March 12, 2010 in Houma, La.
3. Parish President Ernest Freyou explained that he sent a letter out to inform various Directors that there is a \$250,000 shortage in Parish tax collections, as the Parish sales tax is down.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4207 (Introduced by Zoning Commission)

An Ordinance approving a special use/conditional use permit to allow a communication tower on the property of Ricky and Renee Judice, 4413 Northside Road, District 9, all as recommended by the Iberia Parish Zoning Commission.

A motion was made by Mr. John Berard, seconded by Mr. Troy Comeaux, that the Iberia Parish Council does hereby adjourn.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

Clerk of the Council