

MAY 26, 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, May 26, 2010.

The following members were recorded PRESENT:

Maggie F. Daniels, 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: Curtis Boudoin.

OTHERS IN ATTENDANCE: Ernest Freyou, Parish President

Sally Angers, Chief Administrative Officer

Kevin Hagerich, Public Works Director

Kimberly Segura, Finance Director

Dean Wattigny, Legal Counsel

Prescott Marshall, Homeland Security

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.

PERSONS TO ADDRESS THE COUNCIL:

1. Mr. Bob Lang addressed the Council to announce his candidacy for the United States Senate and provided information regarding his position on various topics facings the United States Congress.
2. Persons filling applications of interest for appointment to various boards and commissions, which appointments are to be considered for final adoption at the June 2, 2010 meeting, were scheduled to address the Council. The Council was addressed by Ms. Melissa Long regarding her application for appointment to the New Iberia Veterans Memorial Building Board of Control and by Mr. Karl Vincent on behalf of Mr. Grady Thibodeaux, who is an applicant for appointment to the Acadiana Fairgrounds Commission.
3. Ms. Tina Olivier was scheduled to address the Council regarding the debris pickup schedule, but was not present.
4. Ms. Shelly Greer-Rankin, representing Keep Iberia Parish Beautiful Program, addressed the Council to provide a quarterly report on the actions being taken for the program.
5. At the direction of the Parish President, Mr. Prescott Marshall, Homeland Security Director, provided a status report on the oil spill in the Gulf of Mexico and the actions taken to date. Updates will continue to be provided to the Council as they become available.

STANDING COMMITTEE ITEMS:

ITEM #2010-05-K (Introduced by Clerk of the Council)

Discuss and consider a Resolution authorizing the execution of an Intergovernmental Agreement with the Iberia Parish Hospital Service District No. 1 for the use of the building formerly used as the Jeanerette Health Unit to be used as the Jeanerette Rural Health Clinic for a period of three years, beginning on November 1, 2009 through October 31, 2012.

A motion was by Mr. Charles Williams, seconded by Mr. Naray Hulin, that this item shall be moved forward to the next agenda.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

ITEM #2010-05-L (Introduced by Parish President)

Discuss and consider a Resolution amending the 2010 Fire Protection District No. 1 Fund Budget to establish an Incentive Services line item for the said budget. During this discussion, it was requested that the Fire Chief provide more information regarding this

program. Information will be presented at the next meeting prior to final adoption.

A motion was by Mr. M. Larry Richard, seconded by Mr. Naray Hulin, that this item shall be moved forward to the next agenda.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

Item #2010-05-M (Introduced by Parish President)

Discuss and consider a Resolution repeating and reinforcing its support and endorsement of the Port of Iberia District's AGMAC Project (Commercial Canal-GIWW-Fresh Water Bayou) for the Gulf of Mexico deepwater access route to the Port of Iberia, all as recommended by the aforementioned feasibility study. The Council was addressed by Mr. Roy Pontiff, Executive Director of the Port of Iberia, regarding this Resolution. He explained that there is a need to reinforce the Council's support of this project, while continuing to support coastal protection efforts also.

A motion was by Mr. Roger Duncan, seconded by Mr. M. Larry Richard, that this item shall be moved forward to the next agenda.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

ITEM #2010-05-N (Introduced by Parish President)

Discuss and consider a Resolution amending the 2010 Airport Authority Fund Budget in the amount of \$22,000 to provide funding for repairs made at Pelican Aviation's FBO Hangar, all to be funded from the Repair and Maintenance - Other Line Item. Upon questioning by Councilperson Maggie F. Daniels, Mr. Jason Devillier, Executive Director of the Iberia Parish Airport Authority, advised that this project has already been completed.

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A motion was by Mr. Bernard E. Broussard, seconded by Mr. Thomas J. Landry, that this item shall be forwarded to the next agenda.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

ITEM #2010-05-O (Introduced by Parish President)

Discuss and consider a Resolution amending the total grant funding for the Hazard Mitigation Program for the Gustav/Ike Disaster CDBG Projects to reduce the proposed budget for the Delcambre Economic Development Project by \$290,498 in order that the total budget for said projects shall be in the authorized grant amount of \$11,035,502, all as requested by the Louisiana Recovery Authority and recommended by Richard Minvielle, Project Consultant.

A motion was by Mr. Lloyd Brown, seconded by Mr. Charles Williams, that this item shall be forwarded to the next agenda.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

ITEM #2010-05-P (Introduced by Parish President)

Discuss and consider a Resolution authorizing the acquisition of property from Nolan P. Granger and John Clifford Renard for a price of \$280,000, all to be funded from the Disaster Recovery Funds in the total amount of \$615,677, and further authorizing the transfer of said property to the Twin Parish Port Commission to be used for the Delcambre Fisheries Development Project.

A motion was by Mr. M. Larry Richard, seconded by Mr. Naray Hulin, that this item shall be forwarded to the next agenda.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

ITEM #2010-05-Q (Introduced by Parish President)

Discuss and consider a Resolution amending the 2010 Royalty and the 2010 Road Projects Construction Fund Budgets in the total amount of \$6,144,500 to budget funds for the 2010 Road Improvements Project.

A motion was by Mr. Glenn Romero, seconded by Mr. Roger Duncan, that this item shall be forwarded to the next agenda.

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

YEAS: 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: Maggie F. Daniels.

ABSENT: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

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A motion was made by Mr. John Berard, seconded by Mr. Troy Comeaux, 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, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

Upon requesting and 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. Lloyd Brown, seconded by Mr. Charles Williams, that the Iberia Parish Council does hereby adjourn its Public Hearing and reconvene into Regular Session.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the motion was declared adopted this 26th day of May, 2010.

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

ORDINANCE NO. 2010-05-4210

AN ORDINANCE TO AMEND CHAPTER 4 OF THE COMPILED ORDINANCES FOR IBERIA PARISH FOR SPECIAL EVENT FUNCTIONS (WHICH REQUIRES A PERMIT) TO REQUIRE AN ENDING TIME OF 11:00 P.M. IN RESIDENTIAL AREAS AS IDENTIFIED BY PARISH ZONING MAP AND CONTINGENT UPON THE REVIEW AND APPROVAL OF THE DISTRICT ATTORNEY'S OFFICE.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 4, Article III, Section 4-46 of the Iberia Parish Compiled Ordinances is hereby amended to require closing times of 11:00 p.m. for all functions held under the terms of Special Events Licenses, as follows:

ARTICLE III. SPECIAL EVENTS PERMIT

SECTION 4-46. Special Events Permit Required.

All special events, including sports tournaments, concerts, circuses, shows, exhibitions, street fairs, carnivals, festivals, and other similar, temporary activities or assemblies, at which alcoholic beverages are sold, whether being held on Parish property or private property, are hereby required to obtain a permit from the Iberia Parish Government. For each such event, provisions for parking and security are required and must be approved by the Iberia Parish Sheriff's Department. All functions authorized by the issuance of special events permits for residential areas only must be terminated at Eleven (11:00) O'Clock P.M. on each calendar day, whether it be weekday or weekend as defined within Chapter 4 of this Code. For the purposes of this Section, residential areas shall be defined as those properties designated as residential on the Iberia Parish Zoning Map.

For the purposes of this Article, special events are defined as events where alcoholic beverages are sold or are supplies as part of a general admission or other fee. Special events do not include private parties where there are no sales made or fees charged.

For special events, the Iberia Parish Government will issue a special temporary retail alcoholic beverage permit for a duration of up to three (3) consecutive days. The issuance of said permit allows the retail sale of alcohol, including beer.

SECTION 2. That Sections 4-47 through 4-50 of Chapter 4 of the Iberia Parish Compiled Ordinances shall remain in full force and effect.

SECTION 3. That this Ordinance shall be contingent upon review and approval by the District Attorney's Office.

SECTION 4. That this Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in

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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, 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: Curtis Boudoin.

And the Ordinance was declared adopted this 26th day of May, 2010.

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

ORDINANCE NO. 2010-05-4211

AN ORDINANCE AUTHORIZING THE LEVY OF THE FOLLOWING MILLAGES ON ALL PROPERTY SUBJECT TO TAXATION FOR THE YEAR 2010: (A) COURTHOUSE AND JAIL MILLAGE, IN THE INCORPORATED AREAS OF THE PARISH ONLY, AT A RATE OF 0.80 MILLS; (B) GENERAL PARISH MILLAGE (FORMERLY KNOWN AS THE GENERAL ALIMONY MILLAGE), IN THE RURAL AREAS OF THE PARISH ONLY, AT A RATE OF 3.43 MILLS; (C) EXEMPTED MUNICIPALITIES MILLAGE (FORMERLY KNOWN AS THE CRIMINAL TAX MILLAGE), IN THE INCORPORATED AREAS OF THE PARISH ONLY, AT A RATE OF 1.71 MILLS; (D) DRAINAGE FACILITIES MILLAGE, FOR PARISHWIDE PROPERTY, AT A RATE OF 3.11 MILLS; (E) FIRE PROTECTION DISTRICT NO. 1 MILLAGE, FOR THE RURAL AREAS ONLY, AT A RATE OF 6.50 MILLS; (F) HEALTH UNIT MILLAGE, FOR PARISHWIDE PROPERTY, AT A RATE OF 1.50 MILLS; (G) PARISH LIBRARY MILLAGE, FOR PARISHWIDE PROPERTY, AT A RATE OF 4.58 MILLS; (H) PARISH LIBRARY MILLAGE, FOR PARISHWIDE PROPERTY, TO BE USED TO PAY OUTSTANDING DEBT FOR THE PARISH LIBRARY SYSTEM, AT A RATE OF 0.45 MILLS; (I) PUBLIC BUILDINGS MAINTENANCE MILLAGE, FOR PARISHWIDE PROPERTY, AT A RATE OF 4.53 MILLS.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following millages are hereby levied on the 2010 tax roll on all property subject to taxation by the Iberia Parish Government:

- (a) Courthouse and Jail Millage, in the incorporated areas of the Parish only, at a rate of 0.80 mills;
- (b) General Parish Millage (formerly known as the General Alimony Millage), in the rural areas of the Parish only, at a rate of 3.43 mills;
- (c) Exempted Municipalities Millage (formerly known as the Criminal Tax Millage), in the incorporated areas of the Parish only, at a rate of 1.71 mills;
- (d) Drainage Facilities Millage, for parishwide property, and in conformity with the provisions of an election held on September 18, 2004, at a rate of 3.11 mills;
- (e) Fire Protection District No. 1 Millage, for the rural areas only, and in conformity with the provisions of an election held on March 27, 2010, at a rate of 6.50 mills;
- (f) Health Unit Millage, for parishwide property, and in conformity with the provisions of an election held on September 18, 2004, at a rate of 1.50 mills;
- (g) Parish Library Millage, for parishwide property, and in conformity with the provisions of an election held on September 18, 2004, at a rate of 4.58 mills;
- (h) Parish Library Millage, for parishwide property, to be used to pay outstanding debt for the Parish Library System, and in conformity with the provisions of an election held on November 5, 2002, at a rate of 0.45 mills;
- (i) Public Buildings Maintenance Millage, for parishwide property, and in conformity with the provisions of an election held on September 18, 2004, at a rate of 4.53 mills.

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SECTION 2. That the proper administrative officials of the Parish of Iberia, State of Louisiana, be, and they are, hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2010, and to make the collection of the taxes imposed for, and on behalf of, the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

SECTION 3. 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, 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: Curtis Boudoin.

And the Ordinance was declared adopted this 26th day of May, 2010.

A motion was made by Mr. Glenn Romero, seconded by Mr. John Berard, that the Iberia Parish Council does hereby adopt Resolution Summary No. 118, which is a Resolution authorizing Parish work forces to purchase and install culverts for repairs of two driveways on Marshfield Road, contingent upon review and approval of the District Attorney's Office.

A substitute motion was made by Mr. Glenn Romero, seconded by Mr. John Berard, that the Iberia Parish Council does hereby table action regarding Resolution Summary No. 118 until a legal opinion has been rendered by the District Attorney's Office regarding said matter.

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

YEAS: Maggie F. Daniels, 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: Curtis Boudoin.

And the substitute motion to table was declared adopted this 26th day of May, 2010.

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

RESOLUTION NO. 2010-142

A RESOLUTION EXPRESSING OPPOSITION TO PROPOSED STATE LEGISLATION WHICH PROPOSES BUDGET REDUCTIONS FOR STATE HOSPITALS, INCLUDING THE UNIVERSITY MEDICAL CENTER-LAFAYETTE.

WHEREAS, the State of Louisiana is proposing several budget reductions to various state-funded entities in an effort to balance the budget; and

WHEREAS, several State hospitals, including University Medical Center-Lafayette, are included in the entities scheduled for budget reductions; and

WHEREAS, \$8 million is proposed to be reduced from the funding for University Medical Center-Lafayette; and

WHEREAS, University Medical Center-Lafayette provides services to the residents of not only Lafayette, but also to the seven parish area of Acadiana; and

WHEREAS, University Medical Center-Lafayette also provides jobs, stimulates the economy, and provides teaching and medical services to Acadiana; and

WHEREAS, State hospitals provide services to many individuals, many who are unable to afford services at private-owned hospitals.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express opposition to proposed State legislation which projects budget reductions for State hospitals, including the University Medical Center-Lafayette.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the Iberia Parish Legislation Delegation requesting their support of this position.

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, 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: Curtis Boudoin.

And the Resolution was declared adopted this 26th day of May, 2010.

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

RESOLUTION NO. 2010-143

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE TOTAL AMOUNT OF \$66,500 TO ACCEPT GRANT FUNDING FOR THE LAKE TOM AND LAKE MICHAEL TERRACING PROJECT, AND 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 funding to Iberia Parish for the above-referenced project; and

WHEREAS, the Lake Tom and Lake Michael Terracing Project (Award No. M10AF20062; CIAP No. MMOM40400 MG1GRLA4Z.LCB000) has been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the amount of \$66,500 to accept grant funding for the Lake Tom and Lake Michael Terracing Project, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
431000 3200 0000 1040	CIAP-Lake Tom	-0-	+ \$66,500
533100 3200 0000 1040	Arch/Engineering Fees	-0-	+ \$66,500

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, 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: Curtis Boudoin.

And the Resolution was declared adopted this 26th day of May, 2010.

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A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that the following be adopted:

RESOLUTION NO. 2010-144

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE TOTAL AMOUNT OF \$66,500 TO ACCEPT GRANT FUNDING FOR THE LAKE SAND TERRACING PROJECT, AND 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 funding to Iberia Parish for the above-referenced project; and

WHEREAS, the Lake Sand Terracing Project (Award No. M10AF20061; CIAP No. MMOM404000 MG1GRLA4Z.LCB000) has been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the amount of \$66,500 to accept grant funding for the Lake Sand Terracing Project, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
431000 3200 0000 1041	CIAP-Lake Sand	-0-	+ \$66,500
533100 3200 0000 1041	Arch/Engineering Fees	-0-	+ \$66,500

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, 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: Curtis Boudoin.

And the Resolution was declared adopted this 26th day of May, 2010.

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

RESOLUTION NO. 2010-145

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE TOTAL AMOUNT OF \$66,465 TO ACCEPT GRANT FUNDING FOR THE PORT OF IBERIA BRIDGE REPLACEMENT - PORT ROAD OVER RODERE COULEE PROJECT, AND 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 funding to Iberia Parish for the above-referenced project; and

WHEREAS, the Port of Iberia Bridge Replacement - Port Road over Rodere Coulee Project (Award No. M10AF20052; CIAP No. MMOM40400 MG1MGRLA4Z.LCF000) has been approved.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the amount of \$66,465 to accept grant funding for the Port of Iberia Bridge Replacement - Port Road over Rodere Coulee Project, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
431000 3200 0000 1042	CIAP-Port Road (Rodere)	-0-	+ \$66,465
533100 3200 0000 1042	Arch/Engineering Fees	-0-	+ \$66,465

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, 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: Curtis Boudoin.

And the Resolution was declared adopted this 26th day of May, 2010.

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

RESOLUTION NO. 2010-146

A RESOLUTION GRANTING SUBSTANTIAL COMPLETION FOR THE 2009 ROAD IMPROVEMENTS PROJECT, PHASE I, AREA C, FOR ALL ROADS IMPROVED WITH THE EXCEPTION OF DARNALL ROAD, WHICH IS HEREBY REMOVED FROM THIS LISTING, ALL AS COMPLETED BY M. MATT DURAND, LLC AND ALL AS RECOMMENDED BY PENSICO, PROJECT ENGINEERS.

WHEREAS, the Iberia Parish Government has contracted with M. Matt Durand, LLC for the Iberia Parish Road Improvements Project, Phase I, Area C; and

WHEREAS, it is the recommendation of the Project Engineers, Pensco, that Substantial Completion be granted to said project; and

WHEREAS, it is the intention of this Council to grant Substantial Completion of all roads improved for said project, with the exception of Darnall Road, which road will be considered for Substantial Completion at a future meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby grant Substantial Completion a portion of the roads completed as the 2009 Iberia Parish Road Improvements Project, Phase I, Area C, with the exception of improvements to Darnall Road, all as completed by M. Matt Durand, LLC.

BE IT FURTHER RESOLVED, that it is the intention of this Council to consider the granting of Substantial Completion to improvements to Darnall Road at a future meeting.

BE IT FURTHER RESOLVED, that this Resolution is adopted on the recommendation of Pensco, Project Engineers.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute all documents necessary for the completion of this Project.

BE IT FURTHER RESOLVED, that this Resolution shall be recorded in the official records of the Iberia Parish Clerk of Court and further that the Parish President is hereby authorized to make final payment for said project upon receipt of a Clear Lien Certificate.

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, 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: Curtis Boudoin.

And the Resolution was declared adopted this 26th day of May, 2010.

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

RESOLUTION NO. 2010-147

A RESOLUTION TO DISCUSS THE FISCAL IMPACT OF SENATE BILL NO. 645 WHICH CREATES THREE JUDICIAL DISTRICTS FROM THE 16TH JUDICIAL DISTRICT AND SENATE BILL NO. 793 WHICH PROHIBITS CERTAIN DISTRICT ATTORNEYS AND ASSISTANTS FROM BEING ABLE TO PERFORM "PRIVATE PRACTICE WORK" FOR PARISH GOVERNMENT IN ORDER TO CONSIDER POSSIBLE ACTION IN OPPOSITION TO SAID LEGISLATION DUE TO THE NEGATIVE FISCAL IMPACT TO IBERIA PARISH GOVERNMENT.

WHEREAS, Senate Bill No. 645 as introduced by Senator Troy Hebert proposes to separate the 16th Judicial District into three separate judicial districts, with one each for the parishes of Iberia, St. Martin and St. Mary; and

WHEREAS, a fiscal note for said Senate Bill has been prepared by the Louisiana Legislative Auditor, utilizing information derived from the parish governments of the three parishes, the 16th Judicial District Court Office and the 16th Judicial District Attorney's Office, which indicates that the passage of said proposed legislation would have a negative financial impact on Iberia Parish Government finances of approximately \$500,000 annually; and

WHEREAS, Senate Bill No. 793 proposes to prohibit certain district attorneys and assistant district attorneys from being able to perform "private practice work" for local governmental entities that are represented by the district attorney's office; and

WHEREAS, Senate Bill No. 793 specifically deals with the 16th Judicial District, which includes Iberia Parish; and

WHEREAS, Section 9-02 of the Iberia Parish Home Rule Charter provides the Iberia Parish Council with the authority necessary to employ special legal counsel as needed when so determined by the Council and the adoption of Senate Bill No. 793 would eliminate the Council's authority granted by this Section of its Home Rule Charter.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express its opposition to Senate Bill No. 645 which creates three judicial districts from the 16th Judicial District and Senate Bill No. 793 which prohibits certain district attorneys and assistants from being able to perform "private practice work" for Parish government due to the negative fiscal impact to Iberia Parish Government.

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded to the Iberia Parish Legislative Delegation requesting their consideration of the Council's position regarding these bills.

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: Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: Maggie F. Daniels and Lloyd Brown.

ABSENT: Curtis Boudoin.

And the Resolution was declared adopted this 26th day of May, 2010.

14896

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

RESOLUTION NO. 2010-148

A RESOLUTION REQUESTING THE LOUISIANA GOVERNOR AND THE LOUISIANA LEGISLATURE TO PROVIDE ASSURANCE TO IBERIA PARISH GOVERNMENT OF THE CONTINUATION OF STATE CAPITAL OUTLAY GRANT FUNDING IN THE AMOUNT OF \$2.9 MILLION FOR THE IBERIA PARISH WASTE WATER TREATMENT PLANT PROJECT, AS IBERIA PARISH GOVERNMENT HAS ALREADY ENCUMBERED EXPENSES OF APPROXIMATELY \$1 MILLION IN ENGINEERING AND DESIGN COSTS AND SINCE AGREEMENTS HAVE ALREADY BEEN EXECUTED WITH THE U.S. ARMY CORPS OF ENGINEERS AND THE STATE OF LOUISIANA.

WHEREAS, the Iberia Parish Government has applied for several years for grant funding assistance through the Louisiana Capital Outlay Budget for funding for the construction of a wastewater treatment facility for the Acadiana Regional Airport area; and

WHEREAS, the area including and surrounding the Acadiana Regional Airport is a quickly developing industrial area and is very important and vital to the Iberia Parish economy; and

WHEREAS, the Iberia Parish Government has been successful in obtaining grant funding in the approximate amount of \$2.9 million from the Louisiana Capital Outlay Budget to complete the funding necessary for the construction of a Waste Water Treatment Plant Facility for the Acadiana Regional Airport area; and

WHEREAS, the United States Army Corps of Engineers has been instrumental in bringing this project to fruition, including conducting a feasibility study which determined the feasibility and necessity for this facility for the economic development of this area; and

WHEREAS, the Iberia Parish Government has expended over \$1 million to date on said project for engineering and design information in order that said project can become a reality.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request Louisiana Governor Bobby Jindal and the Louisiana Legislature to provide assurance to Iberia Parish Government of the continuation of State Capital Outlay Grant Funding in the approximate amount of \$2.9 million for the Iberia Parish Waste Water Treatment Plant Project, as Iberia Parish Government has already encumbered expenses of approximately \$1.5 million in engineering and design costs and since agreements have already been executed with the U.S. Army Corps of Engineers and the State of Louisiana.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby further extend its sincere appreciation to the State of Louisiana for providing this grant funding to Iberia Parish Government making this much-needed infrastructure improvements project a reality and providing necessary tools for the economic development of Iberia Parish.

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 follows:

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

NAYS: None.

ABSENT: Curtis Boudoin.

ABSENT AT VOTING: Roger Duncan.

And the Resolution was declared adopted this 26th day of May, 2010.

14898

A motion was made by Mr. M. Larry Richard, seconded by Mr. Barry Verret, that the Iberia Parish Council does hereby recess its Regular Session and convene in Public Hearing to receive comments regarding Summary No. 149, which is a Resolution certifying that the urgent need national objective is being met under the Community Development Block Grant Disaster Recovery Program through the Parish Implemented Recovery Program.

This motion to go into Public Hearing, having been submitted to a vote, the vote thereon was as follows:

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

NAYS: None.

ABSENT: Curtis Boudoin.

ABSENT AT VOTING: Roger Duncan.

And the motion was adopted this 26th day of May, 2010.

The Chairman requested comments from the public regarding this matter and no comments were received. The Chairman requested a motion to adjourn the Public Hearing.

A motion was made by Mr. Naray Hulin, seconded by Mr. Bernard E. Broussard, that the Iberia Parish Council does hereby recess its Public Hearing and reconvene in Regular Session.

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

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

NAYS: None.

ABSENT: Curtis Boudoin.

ABSENT AT VOTING: Roger Duncan.

And the motion was adopted this 26th day of May, 2010.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Barry Verret, that the agenda be expanded to discuss and consider Resolution No. 149, which is a Resolution certifying that the urgent need national objective is being met under the Community Development Block Grant Disaster Recovery Program through the Parish Implemented Recovery Program.

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

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

NAYS: None.

ABSENT: Curtis Boudoin.

ABSENT AT VOTING: Roger Duncan.

And the motion to expand the agenda was declared adopted this 26th day of May, 2010.

The following resolution was offered by Mr. M. Larry Richard, seconded by Mr. Barry Verret, that the following be adopted:

RESOLUTION NO. 2010-149

A RESOLUTION CERTIFYING THAT THE URGENT NEED NATIONAL OBJECTIVE IS BEING MET UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM THROUGH THE PARISH IMPLEMENTED RECOVERY PROGRAM.

WHEREAS, the Iberia Parish Council on September 23, 2009 approved six (6) projects to be included in the Iberia Parish Recovery Proposal Form relative to the \$11,035,502 of Community Development Block Grant funds awarded to the Parish as a result of Hurricanes Gustav and Ike; and

WHEREAS, the Iberia Parish Government Recovery Proposal Form approved by the Louisiana Recovery Authority on November 23, 2009 included the following programs/projects:

Housing Elevation Program
Relocate the Iberia Parish Public Works Facility
Delcambre Grocery Store
Bayou Du Portage (T-Bayou) Drainage Improvements
Interoperability for Iberia Parish Sheriff
Armenco Canal Drainage Project

WHEREAS, the Department of Housing & Urban Development regulations require that the Iberia Parish Government certify that these activities for which CDBG funds are being requested are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; which are of recent origin or which recently became urgent, and that the Iberia Parish Government is unable to finance the activity on its own, and that no other funds are available.

14900

NOW, THEREFORE BE IT RESOLVED that the Iberia Parish Council hereby certifies that the activities for which CDBG funds are being requested for the six (6) above described programs/projects are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; are of recent origin or which recently became urgent and that the Iberia Parish Government is unable to finance the activity on its own and there are no other funds available.

THEREUPON, the above resolution was duly adopted.

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

NAYS: None.

ABSENT: Curtis Boudoin.

ABSENT AT VOTING: Roger Duncan.

And the Resolution was declared adopted this 26th day of May, 2010.

COUNCIL MEMBERS/PRESIDENT ANNOUNCEMENTS

1. Councilman Glenn Romero requested an item on the agenda at the next meeting to oppose proposed legislation which will affect crawfish and rice farmers.
2. Parish President Ernest Freyou announced that this weekend is authorized State sales tax free purchases for hurricane preparedness.
3. The Parish President also invited Council members to the Parish Barn for a Public Works review to be held on Friday at 9:30 a.m.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4212 (Introduced by Zoning Commission)
An Ordinance amending Section 24-156 of the Iberia Parish Zoning Ordinance, entitled "Abandonment of a Non-conforming Use", so as to further clarify the commencement of the abandonment period for a non-conforming use or structure.

SUMMARY NO. 4213 (Introduced by Zoning Commission)
An Ordinance approving a Special Use/Conditional Use Permit to allow a communication tower on property owned by the Louisiana Department of Transportation and Development located at the southwest intersection of U.S. Highway 90 and LA 85.

SUMMARY NO. 4214 (Introduced by Zoning Commission)
An Ordinance amending the Iberia Parish Zoning Ordinance, Division III, to clarify the review process for approval of Special Use/Conditional Use Permits.

SUMMARY NO. 4215 (Introduced by Zoning Commission)
An Ordinance approving a zoning reclassification of property of Kent Byron located at 4500 West Admiral Doyle Drive from Mixed Residential (R-2) to Industrial (I-1), all as recommended and approved by the Iberia Parish Zoning Commission.

A motion was made by Mr. Glenn Romero, seconded by Mr. M. Larry Richard, 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