

July 28, 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, July 28, 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, and Naray Hulin.

ABSENT: M. Larry Richard.

OTHERS IN ATTENDANCE: Ernest Freyou, Parish President
Kimberly Segura, Finance Director
Kevin Hagerich, Public Works Director
Troy Hebert, La State Senator
Simone Champagne, La State Representative
Wayne Landry, Assistant District Attorney

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.

15063

PERSONS TO ADDRESS THE COUNCIL:

1. Mr. Blaine Meche of the Iberia Recreation Department addressed the Council regarding the status of capital improvements projects by the Recreation District. He explained that the Board has directed that capital improvements do not proceed until the last quarter of the year so that the Board is aware of the progress of the receipt of sales taxes, which is currently in a state of decline. Proposed projects include King Joseph Park at \$16,300, Olivier Park at \$16,800 and Willow Wood Park at \$19,800. Chairman Jerome Fitch requested that the Recreation Board consider moving the fence at the Olivier Park in order to create parking. Mr. Meche stated that this would be reviewed.
2. Mr. David Laszczak addressed the Council on flood issues on Scwhing Road and in the Wildwood Subdivision area, District 10. Mr. Laszczak was advised that his complaint was addressed on July 6th, but that Public Works Director Kevin Hagerich would review the matter to ensure that all work has been completed and will report back to the Council.

A motion was made by Mr. Bernard E. Broussard, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding Resolution Summary No. 212, which is a Resolution regarding the re-adoption and ratification of Resolution No. 2010-250, dated September 23, 2009, which authorized revisions, approval and submittal of the Revised Recovery Proposal Form for Iberia Parish.

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 and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 2010.

Mr. Richard Minvielle, Project Consultant, addressed the Council regarding Resolution Summary No. 212. He explained the results of a Public Hearing held on Wednesday, July 21st. It was also explained that additional public hearings were held prior to the adoption of Resolution No. 2010-250. Mr. Minvielle advised that the Parish's prior application for this \$11 million grant included 30% for housing elevation, with all other projects to be held until the elevation projects were completed and the revised application includes 60% of the funding for housing elevation, but the other projects would not wait until the elevation projects are completed. Mr. Minvielle explained that the Council will establish the rules and regulations as prepared by Providence Engineering for setting the limits on what amounts will be distributed per project for all housing elevation projects.

The Chairman announced that the Council would be holding a Public Works Committee Meeting on Monday, August 2nd at 6:00 p.m. to discuss drainage matters. He requested that the public comments for this Resolution be contained to the subjects of the Resolution and further that all drainage comments and requests will be handled by the Public Works Committee.

Louisiana Senator Troy Hebert addressed the Council and stressed the need for some funds to be dedicated for housing elevation, but further that other projects which will help the entire Parish should progress while the elevations projects are continuing. He stressed the need for the funding for the Airport Access Road Extension to U.S. Highway 90 as an economic development tool to assist the entire Parish.

15065

Louisiana State Representative Simone Champagne addressed the Council and stressed the need for all funds from this grant to be dedicated for housing elevations, with all elevations projects to be completed prior to the use of any of these grant funds for any other project. She stated that her office is taking names and applications for all persons requiring financial assistance from the Hazard Mitigation Program or from other grant sources such as this \$11 million grant for housing elevations.

Various comments were received from Ernest Wilson, Ken Squires, Joy Babineaux, Lynn Segura, Barbara Pichoff and Sheila Jeanbatiste. Several drainage projects were discussed, such as the Bayou Portage/Tete Bayou Project which will be funded in conjunction with St. Martin Parish Government and will provide drainage improvements for a large portion of the Parish. Also discussed was the need for funds to complete the funding for the Armenco Canal Drainage Improvements Project.

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

A motion was made by Mr. Barry Verret, seconded by Mr. John Berard, 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, 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: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 2010.

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

RESOLUTION NO. 2010-212

A RESOLUTION RE-ADOPTING RESOLUTION NO. 2010-175, DATED JUNE 9, 2010, WHICH RESOLUTION AMENDS RESOLUTION NO. 2009-250, DATED SEPTEMBER 23, 2009, AUTHORIZING THE SUBMITTAL OF THE RECOVERY PROPOSAL FORM IN CONNECTION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM THROUGH THE PARISH-IMPLEMENTED RECOVERY PROGRAM IN ORDER TO REVISE THE PROJECTS TO BE INCLUDED WITHIN SAID PROGRAM.

WHEREAS, the Iberia Parish Council adopted Resolution No. 2010-175, dated June 9, 2010, which Resolution amends Resolution No. 2009-250, which revised the projects to be included within the Community Development Block Grant Disaster Recovery Program through the Parish Implemented Recovery Program; and

WHEREAS, a public hearing was held on Wednesday, July 21, 2010, regarding the revised submittal of projects for this program; and

WHEREAS, the Iberia Parish Government is scheduled to receive Disaster Recovery funds under the Community Development Block Grant Parish-Implemented Recovery Program in response to Hurricanes Gustav and Ike; and

WHEREAS, the Louisiana Recovery Authority and the Louisiana Disaster Recovery Unit are requiring that the Parishes submit a Recovery Proposal Form; and

WHEREAS, the Iberia Parish Government held two (2) public hearings at different locations in the Parish to obtain citizens input on this Recovery Proposal Form along with a meeting of the Mayors of the municipalities to obtain their input; and

WHEREAS, the Iberia Parish Government has developed the Recovery Proposal Form and desires to submit the Recovery Proposal Form for approval to the State of Louisiana; and

WHEREAS, the Iberia Parish Council adopted Resolution No. 2009-250, dated September 23, 2009, which Resolution designated the specific projects and estimated funding for each project to be included within said program; and

WHEREAS, the Iberia Parish Government has reconsidered the list of projects to be included within said program and has determined that several revisions should be made to said list, including the addition of specific projects, the elimination of specific projects and revisions to existing projects; and

15067

WHEREAS, the Iberia Parish Council is interested in including a proposed project for the LA 3212 Extension to U.S. Highway 90, which would serve as a direct access to the Acadiana Regional Airport and provide necessary infrastructure for the economic development of said area, which project is estimated to cost approximately \$3 million, with the Iberia Parish Government to dedicate \$1.5 million of Disaster Recovery Program Funds and a proposed request for Louisiana Capital Outlay Funds in the amount of \$1.5 million to complete the necessary funding for said project; and

WHEREAS, the Iberia Parish Council has reconsidered its planned application for grant funding for the Delcambre Economic Recovery Project to revise the project from a grant of \$3 million for the construction of a retail store/mall establishment to include an application for grant funds in the amount of \$1 million to be used to elevate a large parcel of property to the proper base flood elevation levels for said property to be used for the future construction of a proposed retail store/mall establishment.

NOW, THEREFORE, BE IT RESOLVED, by the Iberia Parish Council does hereby re-adopt and ratify Resolution No. 2010-250, dated September 23, 2009, which authorized revisions, approval and submittal of the Revised Recovery Proposal Form for Iberia Parish, as follows:

- A. Housing Rehabilitation (Owner-Occupied and Rental Elevations) - \$6,480,502;
- B. Infrastructure/Economic Development:
 - (1) Delcambre Property Elevation for Economic Recovery - \$1,000,000;
 - (2) Bayou Du Portage (T-Bayou) Drainage Improvements (Funding to be coordinated with funding with St. Martin Parish Government) - \$2,000,000;
 - (3) Acadiana Regional Airport Highway Access Project (Funding to be matched with Louisiana Capital Outlay Funding) - \$1,500,000
 - (4) Potential for some of the funds remaining from the Housing Rehabilitation/Elevation Project included within this program (as listed in Item #A above) to be used and dedicated for the New Iberia Armenco Drainage Canal Project.
- C. Economic Development: no plan to utilize these funds for this purpose.
- D. Coastal Restoration: no plan to utilize these funds for this purpose.
- E. Program Administration: \$55,000

BE IT FURTHER RESOLVED, by the Iberia Parish Council that the Parish President of Iberia Parish, Mr. Ernest Freyou is hereby authorized to sign and submit the REVISED Recovery Proposal Forms to the Louisiana Recovery Authority under the Community Development Block Grant Parish-Implemented Recovery Program.

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July, 2010.

STANDING COMMITTEE ITEMS:

ITEM #2010-07-R (Introduced by Clerk of the Council)

Discuss and consider an Ordinance amending Parish Ordinance Chapter 5-2, Animals and Fowl in Parish Parks, to include: (a) that at no time are animals allowed on ball fields or playing areas, (b) all animals and/or fowl are to be on a leash, not to exceed six feet (6') in length, (c) at all times the owner or person in charge must have direct physical control over such animal or fowl by means of the leash.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Charles Williams, that the following item be forwarded to the next agenda of August 4, 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

ITEM #2010-07-S (Introduced by Parish President)

Discuss and consider a Resolution authorizing the submission of a Federal grant application for Supplemental Discretionary Grants for Capital Investments in Surface Transportation and Infrastructure under the American Recovery and Reinvestment Act and authorizing the Parish President to execute a Certification under Section 1511 of the American Recovery and Reinvestment Act for said grant application.

15069

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Barry Verret, that the following item be forwarded to the next agenda of August 4, 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

ITEM #2010-07-T (Introduced by Naray Hulin, District 14)

Discuss and consider action regarding the possibility of incorporating the Coteau area in Iberia Parish.

District 14 Councilman Naray Hulin informed the Council that he has been provided with a copy of an email to Senator Troy Hebert from Mayor Charles Langlinois of the Town of Broussard indicating that he has no intentions of annexation into Iberia Parish. Senator Hebert explained that the Town of Broussard is utilizing its Economic Development District (TIF District) to provide funding for a proposed project for the six-laning of U.S. Highway 90 to LA 88 (Coteau Road). Senator Hebert suggested that Iberia Parish Council provide a Resolution to the Mayor of the Town of Broussard indicating that Iberia Parish is willing to participate with said project. It was agreed that no action would be taken on this item and further that an expansion to the agenda would be proposed at the end of the meeting regarding the Town of Broussard's proposed project.

ITEM #2010-07-U (Introduced by Parish President)

Discuss and consider a Resolution amending the 2010 Fire Protection District No. 1 Fund Budget in the total amount of \$3,532 to provide funding for the purchase of a new air compressor, all to be funded from the 2010 Fire Protection District No. 1 Fund Budget, Fund Balance - Previous Years.

A motion was made by Mr. Roger Duncan, seconded by Mr. John Berard, that the following item be forwarded to the next agenda of August 4, 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

ITEM #2010-07-V (Introduced by M. Larry Richard, District 13)
Discuss and consider a Resolution of the Hurricane Flood Protection District Advisory Committee requesting that the Iberia Parish Council proceed as soon as possible with three appointments to the Iberia Parish Levee, Hurricane Protection and Conservation District.

A motion was made by Mr. Roger Duncan, seconded by Mr. Charles Williams, that the following item be forwarded to the next agenda of August 4, 2010.

Mr. Billy Patout of M. A. Patout Sugar Mill addressed the Council on behalf of the family owned company. He explained that his family owns over 50% of the land which will be used to construct a levee from the Port of Iberia to the St. Mary Parish line. He requested that the Council consider a member of the Patout family at the time of appointing the Board members to the Levee Board, considering that their land will be the majority of the land used. Mr. Jaques Patout added that over 300 acres of Patout property will be used to construct such levee.

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

ITEM #2010-07-W (Introduced by M. Larry Richard, District 13)
Discuss and consider a Resolution requesting that all other governing bodies, such as the Twin Port Commission, Port of Iberia Commission and the municipalities of the Parish, proceed with their appointments to the Iberia Parish Levee, Hurricane Protection and Conservation District as soon as possible.

A motion was made by Mr. Barry Verret, seconded by Mr. Glenn Romero, that the following item be forwarded to the next agenda of August 4, 2010.

15071

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

ITEM #2010-07-X (Introduced by M. Larry Richard, District 13)
Discuss and consider a Resolution of the Hurricane Flood Protection District Advisory Committee requesting that Iberia Parish Council consider appropriations of \$20,000 for 2010 and \$50,000 for 2011 for engineering services by Berard, Habetz & Associates for all initial work and the first year of ongoing services and additional funding for the development of the Iberia Parish Hurricane Protection Master Plan.

A motion was made by Mr. John Berard, seconded by Mr. Roger Duncan, that the following item be forwarded to the next agenda of August 4, 2010.

Council Clerk Diane Phillips noted that she hadn't added a funding source. Finance Director stated that funding would be taken from the 2010 and 2011 General Fund Budgets.

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

ITEM #2010-07-Y (Introduced by M. Larry Richard, District 13)
Discuss and consider action regarding the future of the Iberia Parish Hurricane Flood Protection District Advisory Committee following the formation of the Iberia Parish Levee, Hurricane Protection and Conservation District Commission in accordance with Act 1024 of the 2010 Louisiana Legislative Session.

A motion was made by Mr. Nary Hulin, seconded by Mr. Barry Verret, that the following item be forwarded to the next agenda of August 4, 2010.

Council Clerk Diane Phillips noted that Hurricane Advisory Committee is questioning their status once a Hurricane Levee District/Board is created. Senator Troy Hebert commented that the Hurricane Levee District/Board will not have taxing authority without approval of the Iberia Parish Council.

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 28th day of June, 2010.

15073

A motion was made by Mr. Naray Hulin, seconded by Mr. Charles Williams, 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 and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 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. Naray Hulin, seconded by Mr. Roger Duncan, 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, 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: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 2010.

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

ORDINANCE NO. 2010-07-4221

AN ORDINANCE AMENDING CHAPTER 15, SECTION 15-64 OF THE IBERIA PARISH COMPILED ORDINANCES TO REMOVE PROVISIONS FOR CONTRACT EMPLOYMENT FOR A CARETAKER FOR BOAT LAUNCHES (MARSHFIELD) AS SAID POSITION IS NOW A FULL-TIME EMPLOYEE OF IBERIA PARISH GOVERNMENT.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 15, Section 15-64 is hereby amended as follows:

SECTION 15-64. Boat Launch Permit Fees.

(a) A toll fee of TWO DOLLARS (\$2.00) per day per vessel launched or vehicle parked is hereby imposed at all boat launch facilities owned and/or operated by the Parish and at which the Parish appoints a caretaker as hereafter provided. Daily launch tickets are valid only for use at the location where purchased. The user fee is subject to the following rules:

- (1) Revenues from the special account so created can only be used to improve, maintain, and construct public boat launch facilities owned or operated by the Iberia Parish Council; and
- (2) Each launch location shall maintain an individual account of revenues generated, with said revenues to be spent only at the location where generated; however, revenues may be transferred for expenses at another launch location by a 2/3 vote of the Iberia Parish Council.

SECTION 2. 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Ordinance was declared adopted this 28th day of July, 2010.

15075

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

ORDINANCE NO. 2010-07-4224

AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-26(A) (1) (A) TO AMEND THE TRAVEL POLICY TO CLARIFY THE REIMBURSEMENT PROCESS FOR VEHICLE USE IN ORDER TO REVISE "PRIVATELY-OWNED" VEHICLES TO "NON-PUBLIC" VEHICLES, ALL AS RECOMMENDED BY THE DISTRICT ATTORNEY'S OFFICE.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 2, Section 2-26(A) (1) (A) is hereby amended as follows:

SECTION 2-26. Travel and Parish President or Other Expenses Policy.

A. Travel Expense Policy

The following is a list of the travel expenses that shall be prepaid, paid in advance or reimbursed to parish representatives, including Parish employees, members of the Iberia Parish Council and/or the Iberia Parish President for authorized travel. All receipts for hotel/motel accommodations and all reimbursable expenses must be submitted to the Finance Department within two (2) weeks of return, in addition to a completed expense statement.

(1) Transportation:

- (a) Authorized travel by a non-public vehicle will be reimbursed at the standard mileage rate as designated annually by the Internal Revenue Service, provided for the driver only. The most direct and usually traveled route shall be used to compute the mileage.

SECTION 2. 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Ordinance was declared adopted this 28th day of July, 2010.

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

RESOLUTION NO. 2010-207

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE ADDITIONAL AMOUNT OF \$160,000, FOR THE CHASTANT ROAD RAILCAR BRIDGE PROJECT, ALL TO BE FUNDED FROM THE 2010 ROYALTY FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Chastant Road Bridge is in need of repairs to ensure the safety of said bridge; and

WHEREAS, Resolution No. 2010-86, adopted March 24, 2010 appropriated funding in the amount of \$155,850 for repairs to said bridge.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the additional amount of \$160,000 for the Chastant Road Railcar Bridge Project, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
575000 3310 0000 0000	Cont Pmt Rd Reserve	\$2,095,168	\$3,300,281
575000 3340 0000 0000	Contract Payments	\$155,850	+ \$160,000
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$12,430,813	+ \$160,000

BE IT FURTHER RESOLVED, that the this funding shall be funded from the 2010 Royalty 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July, 2010.

15077

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

RESOLUTION NO. 2010-208

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE ADDITIONAL AMOUNT OF \$55,000, FOR THE INTERLUDE SUBDIVISION DRAINAGE PROJECT, ALL TO BE FUNDED FROM THE 2010 PARISHWIDE DRAINAGE FUND BUDGET, MOSQUITO CONTROL DISTRIBUTION LINE ITEM.

WHEREAS, the Interlude Subdivision has experience flooding in this area over the past year, causing damage to residences in this area; and

WHEREAS, the Iberia Parish Council has appropriated \$185,130 for this project by adoption of Resolution No. 2009-314 and additional funding is necessary to complete the project; and

WHEREAS, it is necessary to amend the 2010 Royalty Fund Budget to provide funding in the additional amount of \$55,000 for the Interlude Subdivision Drainage Project.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the additional amount of \$55,000, for the Interlude Subdivision Drainage Project, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
960340 3200 0000 0000	Tsfr-Royalty	\$250,000	+ \$24,130
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$1,141,426	- \$135,345
910110 0000 0000 0000	Tsfr-Mosquito Cont	\$388,060	+ \$375,475
910103 0000 0000 0000	Tsfr-PW Drainage	\$250,000	+ \$240,130
575000 3200 0000 0000	Contract Payments	\$165,130	+ \$55,000
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$12,510,81	- \$185,130

BE IT FURTHER RESOLVED, that this funding shall be funded from the 2010 Parishwide Drainage Fund Budget, Mosquito Control Distribution Line Item.

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July,

2010.

15079

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

RESOLUTION NO. 2010-209

A RESOLUTION DECLARING VARIOUS VEHICLES, EQUIPMENT, PIPE, ETC., FOR THE PUBLIC WORKS DEPARTMENT, AS SURPLUS PROPERTY AND FURTHER AUTHORIZING THE DISPOSAL OF SAID PROPERTY.

WHEREAS, the Iberia Parish Public Works Department has requested that various items be declared as surplus in order that they can dispose of said items in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby declare various vehicles, equipment, pipe, etc., for the Public Works Department, as surplus property, as follows:

MISCELLANEOUS ITEMS			
IDENTIFICATION	DESCRIPTION	REASON FOR SURPLUS	
1FTRF17L33NA45307	2003 Ford F-150		
1G7GG39K33RF504158	1994 GMC Van		
LA License 202958	Trailer		
1FTHF26H3VEB91272	1997 Ford F-250		
	Lincoln Town Car		
	Buick Lasaber		
2B5WB35Y4XK562120	Dodge Van		
1HTSHNUR1NH396250	1992 International Dump Truck		
8030188	Stripping Machine Model 245 HD		
084549B	1998 Tractor Model 7740-SL		
084570B	1998 Tractor		
n/a	Car Kaddy		
n/a	Various Filters (see attached listing)		
Pipe			
QUANTITY	SIZE	TYPE	Reason for Disposal
1	30" X 20'	Plastic	
19	36" X 20'	Plastic	
1	32" X 20'	Plastic	
1	24" X 8'	Plastic	
1	36" X 9'	Plastic	

Pipe			
QUANTITY	SIZE	TYPE	Reason for Disposal
1	36" X 10'	Plastic	
1	24" X 16 1/2'	Plastic	
1	18" X 17'	Plastic	
1	24" X 4'	Plastic	
1	18" X 6"-8"	Plastic	
1	24" X 30'	Plastic	
1	30" X 2'	Plastic	
1	18" X 15'	Plastic	
1	18" X 10'	Plastic	
1	18" X 8'	Plastic	
1	15" X 3 1/2'	Plastic	
11	36"	Plastic Tee's	
9	14" X 20'	PVC	
1	14" X 7'	PVC	
1	14" X 9'	PVC	
1	14" X 10'	PVC	
2	5' X 30'	Metal	
2	36" X 20'	Metal	
1	3 1/2 X 2 1/2 X 32'	Metal	
1	30" X 7'	Metal	
1	24" X 40'	Metal	
2	36" X 4'	Metal	
2	20" X 30'	Metal	
1	36" X 30'	Metal	
1	27' X 20" X 9'	Metal	
1	16" X 20" X 30'	Metal	
1	20" X 8 1/2'	Metal	
1	14" X 6'	Metal	
3	36"	Metal - Bands	
3	24" X 30'	Metal - Junk	
1	30" X 36'	Metal - Junk	
1	5' X 40'	Metal - Junk	
1	20"	Metal - Tees	
1	36"	Metal - Tees	

BE IT FURTHER RESOLVED, that the Parish President, or his designee, is hereby authorized to execute any documents necessary for the sale and/or disposal of said surplus property.

BE IT FINALLY RESOLVED, that this Resolution shall become

15081

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July, 2010.

A motion was made by Mr. Thomas J. Landry, seconded by Mr. Bernard E. Broussard, that the Iberia Parish Council does hereby adopt Resolution Summary No. 210, which is a Resolution authorizing the District Attorney's Office to seek guidance and/or opinion of the Louisiana Attorney General and the Louisiana Legislative Auditor regarding the question of whether grants to social service agencies from the Iberia Parish Tourist Commission Fund (Visitor Enterprise Fund) are allowable under the terms of State statute and other related matters regarding the distribution of the proceeds to the Iberia Parish Tourist Commission Fund.

Upon information presented by Senator Troy Hebert, the Council was advised that adoption of this Resolution would result in a delay in the State of Louisiana providing the appropriated funding to all parties involved in this legislation, including the Iberia Parish Tourist Commission and the Acadiana Fairgrounds Commission.

Upon receipt of that information, the second to the motion by Mr. Broussard was withdrawn from the floor. Upon requesting and hearing no second, the Chairman declared that this motion **FAILED** to be adopted this 28th day of July, 2010.

15083

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

RESOLUTION NO. 2010-211

A RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO CONSIDER VARIOUS IMPROVEMENTS AT THE INTERSECTION OF LA 674 (ADMIRAL DOYLE DRIVE) AND LA 182 (WEST OLD SPANISH TRAIL), INCLUDING RESURFACING OR OVERLAY FOR ROAD REPAIRS, IMPROVEMENTS TO STREET LIGHTING AT INTERSECTION AND POSSIBLE LANE ADDITIONS FOR SAFETY REASONS DUE TO THE RAILROAD LOCATION AT LA 674.

WHEREAS, a railroad location exists on La. 674 (Admiral Doyle Drive) near its intersection with La. 182 (West Old Spanish Trail); and

WHEREAS, this intersection is in need of resurfacing or overlay for repair of this road and street lighting to enhance the safety in this area; and

WHEREAS, vehicular traffic becomes congested on La. 182 (West Old Spanish Trail) when trains are utilizing the railroad track; and

WHEREAS, said temporary closure of this railroad track presents a safety concern when traffic becomes congested on La. 182 (West Old Spanish Trail) due to this road being heavily-traveled throughout the day and night; and

WHEREAS, the addition of another lane on La. 182 would enhance the safety of citizens utilizing this road, especially when the traffic is congested due to trains utilizing the railroad track.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the Louisiana Department of Transportation and Development to consider various improvements at the intersection of LA 674 (Admiral Doyle Drive) and LA 182 (West Old Spanish Trail), including resurfacing or overlay for road repairs, improvements to street lighting at intersection and possible lane additions for safety reasons due to the railroad location at LA 674.

BE IT FURTHER RESOLVED, that this 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July, 2010.

15085

A motion was made by Mr. Bernard E. Broussard, 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 a proposed expansion to the agenda to consider Resolution Summary No. 213, which is a Resolution authorizing a reduction in the drainage easement for Channel L-20B-2.

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 and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 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. Bernard E. Broussard, seconded by Mr. Glenn Romero, 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, 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: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 2010.

A motion was made by Mr. Glenn Romero, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby expand its agenda to consider Resolution Summary No. 213, as stated above.

This motion to expand the agenda 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion to expand the agenda was declared adopted this 28th day of July, 2010.

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

RESOLUTION NO. 2010-213

A RESOLUTION AUTHORIZING THE REDUCTION OF A DRAINAGE EASEMENT FOR CHANNEL L-20-B-2 FROM 100' TO 35' ON NORTH WEST SIDE ONLY FROM 30 4'53.26"N 91 43'28.53"W (160), NO REDUCTION ON THE NORTH SIDE IS AUTHORIZED SO THE LATERAL CAN BE MAINTAINED INTO THE FUTURE, LOCATED IN DISTRICT 10.

WHEREAS, a drainage easement was established for Channel L-20-B-2 at 100' from the top bank, on the property of Scott and Annette Latiolais, 9017-6 Harold Landry Road, District 9; and

WHEREAS, a request for a reduction in this 100' easement has been submitted to reduce the easement to 35' on north west side only from 30 4'53.26"n 91 43'28.53"w (160 Feet), no reduction on the north side is authorized so the lateral can be maintained into the future, located in District 9; and

WHEREAS, this reduction has been reviewed and approved by the Public Works Director.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the reduction of a drainage easement for Channel L-20-B-2 from 100' to 35' from the top bank, on northwest side only from 30 4'53.26"n 91 43'28.53"w (160 Feet), on one side only on the property of Scott and Annette Latiolais, located in District 9.

BE IT FURTHER RESOLVED, that this easement reduction shall be recorded in the Official Records 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-

15087

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July, 2010.

A motion was made by Mr. Naray Hulin, seconded by Mr. Curtis Boudoin, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding a proposed expansion to the agenda to consider Resolution Summary No. 214, which is a Resolution extending cooperation and expressing support of a proposed project by the Town of Broussard and the Parish of St. Martin for the six-laning of U.S. Highway 90 from the Lafayette Parish boundary to LA 88 (Coteau Road).

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 and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 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. Naray Hulin, seconded by Mr. Roger Duncan, 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, 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: None.

ABSENT: M. Larry Richard

And the motion was declared adopted this 28th day of July, 2010.

15089

A motion was made by Mr. Naray Hulin, seconded by Mr. Curtis Boudoin, that the Iberia Parish Council does hereby expand its agenda to consider Resolution Summary No. 214, as stated above.

This motion to expand the agenda 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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion to expand the agenda was declared adopted this 28th day of July, 2010.

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

RESOLUTION NO. 2010-214

A RESOLUTION EXPRESSING SUPPORT AND INTEREST IN PARTICIPATING WITH THE TOWN OF BROUSSARD AND THE PARISH OF ST. MARTIN FOR A PROPOSED IMPROVEMENTS PROJECT TO U.S. HIGHWAY 90 TO INCLUDE SIX-LANING WHICH WOULD BE FROM THE LAFAYETTE PARISH LINE TO LA 88 (COTEAU ROAD) IN IBERIA PARISH.

WHEREAS, the Iberia Parish Council has been advised by email from the Mayor of the Town of Broussard that the Town currently has no intentions of annexation into Iberia Parish's territorial limits; and

WHEREAS, there is a project being proposed for the six-laning of U.S. Highway 90 from the Lafayette Parish line to LA 88 (Coteau Road), which would not only prepare said highway for I-49 status, but would greatly enhance the economic development of the area; and

WHEREAS, Iberia Parish Government does hereby express its support of said project and further does offer its participation to provide that said project would continue to LA 88 (Coteau Road) in Iberia Parish.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express its support and endorsement of a proposed project by the Town of Broussard and St. Martin Parish for the six-laning of U.S. Highway 90 from the Lafayette Parish boundary line to LA 88 (Coteau Road), located in Iberia Parish.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby further express its interest in participation with said project through Intergovernmental Agreement.

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, and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the Resolution was declared adopted this 28th day of July, 2010.

15091

COUNCIL MEMBERS/PRESIDENT ANNOUNCEMENTS

1. Mr. Bernard E. Broussard noted that the voting machine Resolution was held from the agenda in order to obtain additional information on the quote provided. He requested that this item be placed on the next agenda. He also requested that the next agenda include Standing Committee Items to discuss a ten year plan for infrastructure improvements and to discuss the Pharr Canal and use of additional drainage laterals in order to divert some of the water from Tete Bayou to the Bayou Teche.
2. Parish President Ernest Freyou announced the following:
 - a) Solid Waste RFPs are completed and will be presented to the Council for approval at an upcoming meeting;
 - b) Jail Security System RFPs are waiting for approval of the District Attorney's Office and further that this project is expected to cost less than originally projected; and
 - c) Jail HVAC RFPs are still being drafted and this project could possibly take under the last quarter of 2010 to begin.
3. The Council Clerk advised the Council that NACO has passed a Resolution in support of lifting the moratorium on deepwater drilling, based on requests by the Louisiana Police Jury Association and a few other states. It was also announced that the Parish President has organized staff to work with EOC in the event of a hurricane and further that entry to the Courthouse is limited in the event of an emergency declaration, but further that it has been clarified that Council members will be allowed entry into the Courthouse during those events.
4. Mr. Brown questioned the status of a request to the City of New Iberia to participate in an improvements project for Parker Street with an estimated cost of approximately \$17,000. The Public Works Director advised that this is the cost estimate to be used by the City to determine their participation. Mr. Brown was advised by the Clerk that a letter has been forwarded to the City regarding this matter, but no response has been received to date. Mr. Brown requested that this letter be forwarded to the City of New Iberia again.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4225 (Introduced by Zoning Commission)

An Ordinance reclassifying the property owned by Patrick Bonin, located at 2304 Sugar Mill Road, from Single Family Residential (R-1) to General Business (C-2) and approving a Special Use/Conditional Use Permit to allow limited furniture construction, all as recommended by the Iberia Parish Zoning Commission.

A motion was made by Mr. John Berard, seconded by Mr. Glenn Romero, 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