

OCTOBER 27, 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, October 27, 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
Sally Angers, CAO
Eric Duplantis, Legal Counsel
Kimberly Segura, Finance Director
Donna McDonald, Human Resources Director

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.

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Chairman Jerome Fitch recognized 4-H member Ms. Jacqueline McCarthy to come forth and sing the National Anthem.

A motion was made by Mr. Barry Verret, seconded by Mr. Bernard E. Broussard, that the Iberia Parish Council does hereby dispense with the reading of the minutes of the Regular Meeting of September 8, 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 and Naray Hulin.

NAYS: None.

ABSENT: M. Larry Richard.

And the motion was declared adopted this 27th day of October, 2010.

PERSONS TO ADDRESS THE COUNCIL:

1. Mr. Blair Hebert, County Agent, addressed the Council on behalf of the Iberia Parish Staff of the LSU Agricultural Center's Cooperative Extension Service to provide an annual report.
2. The Chairman allowed several students in attendance to introduce themselves. The Chairman also recognized Boy Scout Matthew Louviere.
3. Mr. Byron Smith requested to address the Council regarding recreation services, but was not present so this item was deferred until later in the meeting.

A motion was made by Mr. Naray Hulin, seconded by Mr. Bernard E. Broussard, 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 27th day of October, 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. Naray Hulin, 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, 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 27th day of October, 2010.

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

ORDINANCE NO. 2010-10-4231

AN ORDINANCE AMENDING CHAPTER 11 OF THE COMPILED ORDINANCES TO AUTHORIZE AN EXTENSION OF THE EXISTING FRANCHISE FOR BAYOU TECHE WATER WORKS FROM 2039 UNTIL 2050 TO COINCIDE WITH FINANCING FOR WATER IMPROVEMENTS.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

- SECTION 1. That Ordinance, dated May 23, 1972, authorized a franchise to Bayou Teche Water Works, which is scheduled to expire in 2039.
- SECTION 2. That said Water District is proposing to make capital improvements and is in the process of securing financing for said water improvements.
- SECTION 3. The existing franchise is hereby extended for an additional period of eleven (11) years until 2050 to coincide with expiration of financing arrangements for water improvements.
- SECTION 4. 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 27th day of October, 2010.

The following persons have submitted their applications of interest for appointment to the Iberia Parish Hospital District No. 1 Board for a four year term to fill the vacancy created by the expiration of term for Ms. Glenda Neuville, whose term expires on November 25, 2010. (Applications of interest on file from: (a) Ms. Marlene Brown, (b) Mr. Davis Dautreuil, and (c) Mr. Lynn Minvielle.

RESOLUTION NO. 2010-293

A RESOLUTION APPOINTING ONE PERSON TO THE IBERIA PARISH HOSPITAL SERVICE DISTRICT NO. 1 FOR A FOUR YEAR TERM TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MS. GLENDA NEUVILLE, WHOSE TERM EXPIRES ON NOVEMBER 25, 2010. (APPLICATIONS ON INTEREST ON FILE FROM: (A) MS. MARLENE BROWN, (B) MR. DAVIS DAUTREUIL, AND (C) MR. LYNN MINVIELLE.

The Chairman requested ballot voting for the appointment of one member to the Iberia Parish Hospital Service District No. 1 Board. The voting was recorded as follows:

BROWN: Maggie Daniels, Thomas J. Landry, Troy Comeaux, John Berard and Barry Verret. (5 VOTES)

DAUTREUIL: None.

MINVIELLE: Curtis Boudoin, Lloyd Brown, Bernard E. Broussard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams and Naray Hulin. (8 VOTES)

ABSENT: M. Larry Richard.

The Chairman declared that Mr. Lynn Minvielle has been appointed as a member of the Iberia Parish Hospital Service District No. 1 Board for a four year term to fill a vacancy created by the expiration of term for Ms. Glenda Neuville, whose term expires on November 25, 2010. The term for this appointment shall commence on November 26, 2010 and shall terminate on November 25, 2014.

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.

And the Resolution was declared adopted this 13th day of October, 2010.

15310

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

RESOLUTION NO. 2010-303

A RESOLUTION APPOINTING MR. ROBERT THEODILE, JR., TO THE RECREATION DISTRICT NO. 8 BOARD, TO FILL A VACANCY CREATED BY THE EXPIRATION OF TERM FOR MR. ANDRE ROSAMOND, WHOSE TERM EXPIRED MARCH 5, 2010.

WHEREAS, the Iberia Parish Council is desirous of appointing one member to the Recreation District No. 8 Board, to fill a vacancy created by the expiration of term for Mr. Andre Rosamond, whose term expired on March 5, 2010; and

WHEREAS, an application of interest for appointment to this position has been received from Mr. Robert Theodile, Jr.; and

WHEREAS, the Iberia Parish Council does hereby waive Section 2-42 (e) of the Iberia Parish Compiled Ordinances requiring the submission of two applicants for said appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby appoint Mr. Robert Theodile, Jr., as a member of the Recreation District No. 8 for a five year term to fill the vacancy created by the expiration of term of Mr. Andre Rosamond.

BE IT FURTHER RESOLVED, that said term shall commence on October 28, 2010 and shall terminate on October 27, 2015.

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 27th day of October, 2010.

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

RESOLUTION NO. 2010-304

A RESOLUTION APPROVING CAPITAL OUTLAY APPLICATIONS FOR THE STATE'S UPCOMING FISCAL YEAR, WITH THE CURRENT LIST TO BE AMENDED TO INCLUDE AN ADDITIONAL PROJECT FOR FUNDING ASSISTANCE FOR THE CONSTRUCTION OF A NEW ROADWAY OVER AN ABANDONED RAILROAD BED FROM SIDNEY BLANCHARD ROAD TO ED BROUSSARD ROAD.

WHEREAS, the Iberia Parish Administration will submit applications to the State of Louisiana for the Capital Outlay Program for various projects in accordance with a prioritized listing of projects submitted for Council approval; and

WHEREAS, the prioritized listing of proposed projects for Iberia Parish has been reduced to five projects as the State funding available for Capital Outlay Projects has been greatly reduced.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the submission of all Capital Outlay Applications for the Louisiana Capital Outlay Program in accordance with an updated prioritized listing which includes seven (7) proposed projects, and which is hereby made a part of this Resolution.

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 27th day of October, 2010.

15312

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

RESOLUTION NO. 2010-305

A RESOLUTION REQUESTING AND ADVISING THE NEW IBERIA MAYOR AND CITY COUNCIL THAT THE PARISH WILL PROVIDE ANY ASSISTANCE WITH THE POSSIBILITY OF REQUESTING THE LA. DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO CONSIDER THE INSTALLATION OF A TEMPORARY BRIDGE OVER THE BAYOU TECHE WHILE THE JEFFERSON STREET/JOE DAIGRE BRIDGE IS BEING REPLACED, WHICH PROJECT BEGINS IN JANUARY 2011 AND WHICH INCLUDES SEVERAL POSSIBLE OPTIONS.

WHEREAS, the Jefferson Street/Joe Daigre Bridge is one of several bridges within the City of New Iberia utilized to cross the Bayou Teche to allow traffic to flow in a northerly/southerly direction; and

WHEREAS, said bridge is scheduled for repairs, which are expected to commence in January 2011, that will close this bridge to all vehicular traffic, including emergency vehicles, for a period of approximately two (2) years; and

WHEREAS, all traffic attempting to cross the Bayou Teche will be required to utilize the bridges on Duperior and Lewis Streets, which could create congestion in traffic at peak hours and in the event of a mechanical breakdown of either of these bridges, would result in major traffic congestion for the affected areas; and

WHEREAS, an alternate method, such as the installation of a temporary bridge, would provide additional routing of vehicular traffic as well as provide an alternate route for emergency vehicles; and

WHEREAS, Iberia Parish Government is willing to provide assistance to the City of New Iberia in requesting the La. Department of Transportation and Development to consider the installation of a temporary bridge during the replacement of the Jefferson Street/Joe Daigre Bridge.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request and advise the New Iberia Mayor and City Council that the Parish will provide any assistance with the possibility of requesting the La. Department of Transportation and Development to consider the installation of a temporary bridge over the Bayou Teche while the Jefferson Street/Joe Daigre Bridge is being replaced, which project begins in 2011 and which includes several possible options.

BE IT FURTHER RESOLVED, that this Resolution will be forwarded to the City of New Iberia for their consideration.

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 27th day of October, 2010.

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

RESOLUTION NO. 2010-306

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR A GRANT UNDER 49 CFR 5311, NON-URBANIZED AREA FORMULA PROGRAM AND/OR 49 CFR 5309, DISCRETIONARY CAPITAL PROGRAM.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by Iberia Parish :

1. That the President is authorized to execute and file an application on behalf of Iberia Parish with the Louisiana Department of Transportation and Development, to aid in the financing of operating and/or capital assistance projects pursuant to the Rural Public Transit Program, 49 CFR 5311 and/or the Discretionary Capital Program, 49 CFR 5309.
2. That the President is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.
4. That the President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the President is authorized to execute grant contract agreements on behalf of Iberia Parish with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. This Resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

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 27th day of October, 2010.

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

RESOLUTION NO. 2010-307

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR A GRANT UNDER 49 CFR 5311, NON-URBANIZED AREA FORMULA PROGRAM AND/OR 49 CFR 5309, DISCRETIONARY CAPITAL PROGRAM.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of project costs;

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by Iberia Parish :

1. That the President is authorized to execute and file an application on behalf of Iberia Parish with the Louisiana Department of Transportation and Development, to aid in the financing of operating and/or capital assistance projects pursuant to the Rural Public Transit Program, 49 CFR 5311 and/or the Discretionary Capital Program, 49 CFR 5309.
2. That the President is authorized to execute and file with such applications an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.
3. That the President is authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.
4. That the President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the President is authorized to execute grant contract agreements on behalf of Iberia Parish with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.
6. This Resolution is applicable for a period of one year unless revoked by the governing body and copy of such revocation shall be furnished to the DOTD.

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 27th day of October, 2010.

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

RESOLUTION NO. 2010-308

A RESOLUTION ACCEPTING THE RESIGNATION OF MR. LOUIS PHILIP MONTE FROM THE WATER WORKS DISTRICT NO. 3 BOARD OF COMMISSIONERS, EFFECTIVE IMMEDIATELY.

WHEREAS, Mr. Louis Philip Monte has tendered his resignation as a member of the Water Works District No. 3 Board, effective immediately.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accept the resignation of Mr. Louis Philip Monte as a member of the Water Works District No. 3, effective immediately.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby express its sincere appreciation to Mr. Louis Philip Monte for his service to Iberia Parish Government in this capacity.

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 27th day of October, 2010.

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

RESOLUTION NO. 2010-309

A RESOLUTION CERTIFYING TO THE LA. DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT FOR THE PERIOD OF OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010 THAT THE PARISH HAS MET ALL THE PREREQUISITES TO PARTICIPATION IN THE OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM.

WHEREAS, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected, rated for safe load capacity, and posted in accordance with the National Bridge Inspection Standards and that an inventory of these bridges be maintained by each State; and

WHEREAS, the responsibility to inspect, rate, and load post those bridges under the authority of Iberia Parish in accordance with those standards is delegated by the Louisiana Department of Transportation and Development to Iberia Parish.

THEREFORE, BE IT RESOLVED, by the governing authority of Iberia Parish (herein referred to as the Parish) that the Parish in regular meeting assembled, does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD) that for the period of October 1, 2009 through September 30, 2010:

1. The Parish has performed all interim inspections on all Parish owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. All bridges owned or maintained by the Parish have been structurally analyzed and rated by the Parish as to the safe load capacity in accordance with the AASHTO Manual for Maintenance Inspection of bridges. The load posting information that has been determined by the La. DOTD for all bridges where the maximum load under Louisiana State Law exceeds the load permitted under the operating rating as determined above has been critically reviewed by the Parish. Load posting information has been updated by the Parish to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.
3. All Parish owned or maintained bridges which require load posting or closing are load posted or closed in accordance with the table in DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the Parish Engineer prior to load posting.
4. All bridges owned or maintained by the Parish are shown on the attached listing in the format specified by the DOTD. Corrections to data supplied to the Parish by the La. DOTD are noted.

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These stipulations are prerequisites to participation by the Parish in the Off-System Bridge Replacement 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 27th day of October, 2010.

STANDING COMMITTEE ITEMS:ITEM #2010-10-F (Introduced by Clerk of the Council)

Discuss and consider a Resolution declaring a firefighting vehicle and transfer switches as surplus, and further authorizing disposal of said items in accordance with State and Parish policy, all as requested by the Iberia Parish Airport Authority.

A motion was made by Mr. John Berard, seconded by Mr. Roger Duncan, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-G (Introduced by Parish President)

A Resolution amending the 2010 Iberia Parish Airport Authority Fund Budget for various adjustments.

A motion was made by Mr. Roger Duncan, seconded by Mr. Charles Williams, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-H (Introduced by Glenn Romero, District 9)

Discuss and consider a Resolution authorizing the Public Works Department to install signs indicating "School Bus Stop Ahead" on Northside Road, near its intersection with Crossbow Drive, in District 9.

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A motion was made by Mr. Glenn Romero, seconded by Mr. Roger Duncan, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-I (Introduced by Curtis Boudoin, District 2)
Discuss and consider a Resolution amending the 2010 Road Project No. 2010-01, to include an addendum to include improving that portion of Julia Street from Cape Palos Road to its intersection with Omega Street, in District 2.

A motion was made by Mr. Curtis Boudoin, seconded by Mr. Lloyd Brown, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-J (Introduced by M. Larry Richard, District 13)
Discuss and consider action regarding repairs to the David Duboin Bridge over Rodere Coulee to allow vehicular traffic, with a funding source to be determined during discussion of said item. The Finance Committee recommended appropriating \$500,000 for the replacement of said bridge with a rail car structure, with the funding source to be determined during discussion of said item.

A motion was made by Mr. Barry Verret, seconded by Mr. Troy Comeaux, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-K (Introduced by Naray Hulin, District 14)
Discuss and consider an Ordinance amending Ordinance Nos. 2008-08-4032, dated August 15, 2008 and 2009-06-4121, dated June 10, 2009, to revise the composition of the Water Works District No. 3 Commission from a six-member to a five-member board, effective immediately, and all as requested by the Water Works District No. 3 Commission.

A motion was made by Mr. Naray Hulin, seconded by Mr. Glenn Romero, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-L (Introduced by Charles Williams, District 12)
Discuss and consider a Resolution amending Resolution No. 2010-247, adopted August 25, 2010 which appropriated funding in the total amount of \$375,753 for building renovations and elections and advertising expenses for the Recreation District No. 8 Building to provide that any remaining funding shall be reserved for improvements to the King Joseph Building within said District.

During this discussion, Standing Committee Item #2010-10-L was amended as follows:

Discuss and consider a Resolution amending the 2010 Recreation District No. 8 Fund Budget to include a line item for the King Joseph Building Reserve and further notifying the Recreation

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District No. 8 Board that there shall be no additional expenditure of funds other than for projects previously authorized by the Council and that Council approval is required prior to expenditures of funds for any approved projects in excess of amounts previously authorized.

A motion was made by Mr. Charles Williams, seconded by Mr. Bernard E. Broussard, that the following item, as amended, be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

ITEM #2010-10-M (Introduced by Parish President)

Discuss and consider a Resolution amending the 2010 Water Works District No. 3 Fund Budget in the amount of \$7,500 to provide funds for the annual financial audit of said District to be included with the scope of the Iberia Parish Government's financial statements audit, all to be funded from the 2010 Water Works District No. 3 Fund Budget, Fund Balance - Previous Years.

A motion was made by Mr. Nary Hulin, seconded by Mr. Roger Duncan, that the following item be forwarded to the next agenda of November 3, 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 27th day of October, 2010.

The Council then considered a motion to expand the agenda to go into Executive Session to discuss pending litigation entitled "Jason Hebert vs. Iberia Parish Government, OWC, District 04, Docket No. 07-08980".

A motion was made by Mr. Roger Duncan, 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 an expansion of the agenda to go into Executive Session to discuss pending litigation as stated above.

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 27th day of October, 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. Lloyd Brown, seconded by Mr. Thomas J. Landry, that the Iberia Parish Council does hereby recess its Public Hearing and reconvene into Regular Session.

This motion to reconvene into Regular Session, 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 reconvene into Regular Session was declared adopted this 27th day of October, 2010.

15326

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby expand its agenda to go into Executive Session to discuss pending litigation entitled "Jason Hebert vs. Iberia Parish Government, OWC, District 04, Docket No. 07-08980".

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 27th day of October, 2010.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby go into Executive Session to discuss pending litigation entitled "Jason Hebert vs. Iberia Parish Government, OWC, District 4, Docket No. 07-08980".

This motion to go into Executive Session, 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 go into Executive Session was declared adopted this 13th day of October, 2010.

Allowed to remain in Executive Session were the following persons: Parish President Ernest Freyou, CAO Sally Angers, Assistant District Attorney Eric Duplantis and Attorney Dennis Stevens.

A motion was made by Mr. Naray Hulin, seconded by Mr. Glenn Romero, that the Iberia Parish Council does hereby adjourn its Executive Session and return to Regular Session.

This motion to return to Regular Session 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 return Regular Session was declared adopted this 27th day of October, 2010.

15328

A motion was made by Mr. John Berard, seconded by Mr. Barry Verret, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding Resolution Summary 310, as stated above.

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 27th day of October, 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. Naray Hulin, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby recess its Public Hearing and reconvene into Regular Session.

This motion to reconvene into Regular Session, 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 reconvene into Regular Session was declared adopted this 27th day of October, 2010.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that the Iberia Parish Council does hereby expand its agenda to consider Resolution Summary No. 310, which is a Resolution accepting the recommendation of special legal counsel regarding litigation entitled "Jason Hebert vs. Iberia Parish Government, OWC, District 04, Docket No. 07-08980".

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 27th day of October, 2010.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Lloyd Brown, that the Iberia Parish Council does hereby adopt the following:

RESOLUTION NO. 2010-310

A RESOLUTION ACCEPTING THE RECOMMENDATION OF SPECIAL LEGAL COUNSEL REGARDING LITIGATION ENTITLED "JASON HEBERT VS. IBERIA PARISH GOVERNMENT, OWC, DISTRICT 04, DOCKET NO. 07-08980".

WHEREAS, the Iberia Parish Council held Executive Session on this date to review the recommendation of special legal counsel, Mr. Dennis Stevens, regarding the referenced litigation.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accept the recommendation of special legal counsel regarding litigation entitled "Jason Hebert vs. Iberia Parish Government, OWC, District 04, Docket No. 07-08980.

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 27th day of October, 2010.

15330

PARISH PRESIDENT ANNOUNCEMENTS

1. Parish President Freyou noted that there is a memo for each Council member regarding the status of Courthouse security, including information that the scanning equipment will be moved to the second floor for the judges to use.

COUNCIL MEMBER/STAFF ANNOUNCEMENTS

1. Councilman Troy Comeaux requested that the Council be advised of the deadline for submission of items for the Capital Outlay requests in advance in order that other projects may be submitted for consideration. He requested that the next phase of the Pepperplex Project be included with this year's submission of Capital Outlay requests.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4232 (Introduced by Legal Counsel)

An Ordinance creating "Economic Development District No. 2 of the Parish of Iberia, State of Louisiana", defining the boundaries thereof from which area the local and State sales tax increments may be determined and used to finance economic development projects to fund a portion of the cost of economic development projects in accordance with and as authorized by Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith.

A motion was made by Mr. Charles Williams, seconded by Mr. John Berard, 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