

FEBRUARY 1, 2012

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, February 1, 2012.

The following members were recorded PRESENT:

Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

ABSENT: None.

OTHERS IN ATTENDANCE: Errol "Romo" Romero, Parish President  
Joel Dugas, Chief Administrative Officer  
Dean Wattigny, Asst. District Attorney  
Kimberly Segura, Finance Director  
Charles Rader, Permits, Planning and  
Zoning Director  
Peggy Miguez, Human Resources Director  
Mike Oubre, Maintenance Supervisor

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. Bernard E. Broussard, its Chairman, who announced that the Council was now ready to conduct its business.

PERSONS TO ADDRESS THE COUNCIL:

1. Mr. Raymond Bernard, Mr. Danny David, Sr. and Ms. Millie Martinez, members of the Port of Iberia Commission, to address the Council to provide an annual report of the Port's current projects.

SPECIAL BUSINESS:

1. Presentation of Certificate of Congratulations to Mr. Jesse L. Duplechain upon his attaining the rank of Eagle Scout from the Boy Scouts of America. Mr. Glenn Romero noted that Jesse L. Duplechain could not be at the meeting and further requested that the certificate be mailed to him.
2. Presentation of Certificate of Appreciation to Mr. Roger Duncan for his service as past Chairman of the Council. Chairman Bernard E. Broussard presented a Certificate of Appreciation to Roger Duncan, thanking him for his services to the Parish as Chairman in 2011. Mr. Roger Duncan thanked the Council and staff for their hard work and support.

A motion was made by Mr. Curtis Boudoin, seconded by Mr. Lloyd Brown, that the Iberia Parish Council does hereby recess its Regular Session and convene as Committees.

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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 1st day of February, 2012.

A motion was made by Mr. Roger Duncan, seconded by Mr. Glenn Romero, that the Iberia Parish Council does hereby adjourn its Committee recess 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 1st day of February, 2012.

A motion was made by Mr. Curtis Boudoin, seconded by Mr. Lloyd Brown, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comment 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 1st day of February, 2012.

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

A motion was made by Mr. Roger Duncan, seconded by Mr. Glenn Romero, that the Iberia Parish Council does hereby adjourn its Committee recess 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 1st day of February, 2012.

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

ORDINANCE NO. 2012-02-4371

AN ORDINANCE AMENDING CHAPTER 17 OF THE IBERIA PARISH COMPILED ORDINANCES REGARDING REGULATIONS CONCERNING UNNECESSARY NOISE TO AMEND SAID SECTION TO INCLUDE NUISANCE DOGS BARKING.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 17 of the Iberia Parish Compiled Ordinances is hereby amended as follows:

Nuisance Animals.

(a) Every owner or keeper of animals shall exercise proper care and control of such animals so as to prevent them from creating or becoming a public nuisance. The definition of public nuisance in this section, includes but is not limited to, excessive barking or noise making defined as continuous barking for 15 minutes; excessive or untimely barking, howling or yelping so as to disturb the peace and quiet of a neighborhood or its residents or to disturb the health or repose of the residents; attacking or molesting passersby or other animals; being repeatedly at large; chasing vehicles; scratching on or digging into or urinating or defecating upon lawns, shrubs, buildings or any property either public or private other than property of the owner or keeper of an animal shall be deemed to be the creation of a public nuisance and the owner or keeper of an animal causing such public nuisance shall be deemed guilty of a misdemeanor and subject to the penalties of section 4-34. In the case of nuisance by defecation, the owner or keeper must remove all feces and dispose of them in a sanitary manner or be considered to be further in violation of the provisions of this article.

(b) Premises on which animals, including fowl are kept, shall be maintained so as to prevent disagreeable odors arising therefrom, or the presence of breeding of flies, mosquitos and other pests. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infection, odors and disease hazards.

(c) If revocation of an animal's license or reduction in the number of animals kept is ordered by the animal warden, the owner shall have 15 days to dispose of the animals unless otherwise specified by the animal warden. If the owner fails to take such action then the animal control officer may take custody of the animals.

Penalties.

(a) Violation of the provisions of this chapter makes the owner or attendant responsible, liable to summons and a fine as indicated below. Violators shall also pay all court costs and expenses incurred by the parish in prosecuting a violator.

- (1) \$25.00 for each first offense.
- (2) \$50.00 for each second offense.

- (3) \$75.00 for each third offense.
- (4) For fourth and later offenses, penalties of up to \$100.00 or 30 days' imprisonment, at the discretion of the court.
- (5) Offenders cited for cruelty to an animal will be summoned for court trial for provision of appropriate penalty.

(b) Any constable and/or police or law enforcement officer is authorized to issue summons for each violation. Violators have the choice of paying the fine or obtaining a court trial which would provide penalties at least equal to those required by summons.

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: Curtis Boudoin, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, Roger Duncan, Jerome W. Fitch, and Marty Trahan.

NAYS: Maggie F. Daniels, Thomas J. Landry, David Ditch, Ricky Gonsoulin, Glenn Romero, Aquicline Renner-Arnold, and D. Wayne Romero.

ABSENT: None.

And the Ordinance **FAILED** to be adopted this 1st day of February, 2012.

During the discussion regarding Ordinance Summary No. 4372, a request was made by CAO Joel Dugas to read a letter rendered by Parish President Romero regarding the adoption of proposed Summary No. 4372. The Chairman read the letter and entered it into the taped record of the meeting.

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

ORDINANCE NO. 2012-02-4372

AN ORDINANCE AMENDING THE IBERIA PARISH PERSONNEL POLICY MANUAL FOR ADMINISTRATIVE AND LEGISLATIVE EMPLOYEES AS RECOMMENDED BY EXECUTIVE COMMITTEE, ALL IN ACCORDANCE WITH ARTICLE IV OF THE IBERIA PARISH HOME RULE CHARTER.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance 84-4-20, adopted April 11, 1984, adopted a Personnel Policy, which policy was amended by the adoption of Ordinance No. 2005-04-3142, adopted April 13, 2005.

SECTION 2. That the acknowledgment employees are requested to sign upon issuance of said policy is hereby amended as follows:

Acknowledgment of Employee  
Personnel Policy Manual

I, (insert name of employee), have previously received a copy of the Iberia Parish Government Personnel Policy Manual. This manual contains policies, practices, and regulations which I have and/or will read, understand, and agree to comply with during my employment with Iberia Parish Government.

I understand I will be responsible for complying with future change(s) in such policies, practices, and regulations communicated to employees from time to time.

I further understand that as a condition of my employment with Iberia Parish Government, I am expected to follow these rules and regulations. Failure to comply with these conditions may be basis for discipline, up to and including dismissal.

I further understand that this acknowledgment supercedes and replaces any prior acknowledgment or receipt document I have executed.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

SECTION 2. That the Parish President and Clerk of the Council are hereby authorized to have all employees under their jurisdiction execute said acknowledgment for submission and inclusion into their Personnel Files.

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, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Ordinance was declared adopted this 1st day of February, 2012.

A motion was made by Miss Maggie F. Daniels, seconded by Mr. Roger Duncan, that Summary No. 29, which is a Resolution establishing a new position within the Legislative Branch, to be classified as Administrative Support Services Manager, with a recommended Pay Grade of 23, be deferred to the first Iberia Parish Council meeting of each month until March 1, 2012 for further discussion.

The motion to defer 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion to defer was declared adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-37

A RESOLUTION RATIFYING RESOLUTION NOS. 2008-180 AND 2009-130 TO AUTHORIZE THE PAYMENT OF CAR ALLOWANCES FOR THE (A) PARISH PRESIDENT AT \$700 PER MONTH, (B) CHIEF ADMINISTRATIVE OFFICER AT \$500 PER MONTH, AND (C) PLANNING, PERMITTING AND ZONING DIRECTOR AT \$500 PER MONTH, ALL TO BE FUNDED FROM THE 2012 GENERAL FUND BUDGET, PERSONAL LINE ITEMS OF THE EXECUTIVE, GENERAL, AND PLANNING FUNCTIONS.

WHEREAS, Resolution No. 2008-180, adopted July 2, 2008, authorized the payment of car allowances for the Parish President at \$700 per month and the Chief Administrative Officer at \$500 per month; and

WHEREAS, Resolution No. 2009-130, adopted May 13, 2009, authorized the payment of a car allowance for the Director of the Planning, Permitting and Zoning Department at \$500 per month; and

WHEREAS, it is the intent of the Parish President to continue the payment of said car allowances at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby ratify Resolution No. 2008-180, adopted July 2, 2008, to authorize the payment of car allowances for the (a) Parish President at \$700 per month and (b) Chief Administrative Officer at \$500 per month.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby ratify Resolution No. 2009-130, adopted May 13, 2009, to authorize the payment of a car allowance for the Director of Planning, Permitting and Zoning at \$500 per month.

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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-39

A RESOLUTION SUPPORTING THE APPLICATION OF GRAVOIS ALUMINUM BOATS, LLC FOR THE QUALITY JOBS PROGRAM.

WHEREAS, the sales/use tax rebates for the Quality Jobs Program are governed by §51.1787 (Louisiana Enterprise Zone Program) and;

WHEREAS, the Quality Jobs Program offers significant incentives for economic development in the State and;

WHEREAS, the Iberia Parish Council states this endorsement is in agreement with the Comprehensive Economic Development Strategy for their area, and;

WHEREAS, the **attached Census Tract/Block Group map** has been marked to show the location of the business being endorsed and;

WHEREAS, in accordance with the Louisiana Quality Jobs Program requirements, Gravois Aluminum Boats, LLC agrees:

1. To participate in the Quality Jobs Program.
2. To assist the Department in evaluating progress made in any Enterprise Zones within its jurisdiction.
3. To REBATE all eligible local sales/use taxes on the purchase of eligible construction materials, machinery, and equipment purchased for this project and used by the business **permanently on that site.**

BE IT RESOLVED by the Iberia Parish Council, in regular and legal session convened on 1st day of February, 2012 and endorses Gravois Aluminum Boats, LLC, Application No. 20111045, to participate in the Louisiana Quality Jobs Program.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-40

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A RIGHT OF WAY PERMIT WITH LOUISIANA WATER COMPANY (LAWCO) FOR A PERMANENT TEN FOOT (10') AND A TEMPORARY ADDITIONAL FIVE FOOT (5') EASEMENT FOR THE INSTALLATION OF WATER LINES ALONG ED BROUSSARD ROAD, LOCATED IN DISTRICT 9.

WHEREAS, Iberia Parish Government is making improvements to the roadway of Ed Broussard Road; and

WHEREAS, said improvements include the relocation of some utilities, including water lines, etc.; and

WHEREAS, Louisiana Water Company (LAWCo) needs to acquire both a permanent and temporary easement for the installation of said water lines, etc.; and

WHEREAS, the Parish needs to execute said Right of Way Permit with LAWCo.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to execute a Right of Way Permit with Louisiana Water Company (LAWCo) for a permanent ten foot (10') and a temporary additional five foot (5') easement for the installation of water lines along Ed Broussard Road, located in District 9.

BE IT FURTHER RESOLVED, that this Resolution 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 2-13 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-41

A RESOLUTION REQUESTING AN ALTERNATIVE COST ESTIMATE FOR LIMESTONE, RATHER THAN ASPHALT AS AUTHORIZED BY RESOLUTION NO. 2012-06, ADOPTED JANUARY 18, 2012, TO BE UTILIZED FOR PARKING LOT IMPROVEMENTS AT THE CORNER OF IBERIA AND WASHINGTON STREETS (OLD JACQUEMOUD BUILDING PROPERTY).

WHEREAS, Resolution No. 2012-06, adopted January 18, 2012, amended the 2012 Public Buildings Maintenance Fund Budget in the amount of \$398,000 to provide funding for the parking lot improvements at the corner of Iberia and Washington Streets (old Jacquemoud Building property); and

WHEREAS, it has been suggested that an alternative cost estimate for limestone, rather than asphalt, be obtained at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request an alternative cost estimate for limestone, rather than asphalt as authorized by Resolution No. 2012-06, adopted January 18, 2012, to be utilized for parking lot improvements at the corner of Iberia and Washington Street (Old Jacquemoud Building Property).

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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-42

A RESOLUTION AUTHORIZING THE COUNCIL CHAIRMAN TO SEEK ATTORNEY GENERAL AND LA. STATE ETHICS OPINIONS INVOLVING THE PARISH PRESIDENT'S ACTIONS, INCLUDING, BUT NOT LIMITED TO, (A) THE TERMINATION AND REHIRING OF "RANK AND FILE" EMPLOYEES, (B) UTILIZING LEGAL SERVICES OF HIS SON AS A PRO BONO ATTORNEY, AND C) ALLOWING NON-EMPLOYED INDIVIDUALS ACCESS TO SECURED OFFICE AREAS AND FILES AND/OR DOCUMENTS AND FURTHER TO AUTHORIZE THE COUNCIL CHAIRMAN TO SEEK ADDITIONAL OPINIONS FROM THESE BODIES UPON THE REQUEST BY ANY COUNCIL MEMBER.

WHEREAS, the Louisiana Attorney General and the Louisiana Ethics Commission may be able to assist the Iberia Parish Council with review and recommendations regarding various actions taken by the Iberia Parish President in order that the Council may take appropriate action regarding these matters.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Council Chairman to seek Attorney General and Louisiana Ethics Board opinions involving the Parish President's actions, including, but not limited to,

- a) the termination and rehiring of "rank and file" employees,
  - A total of eight employees (four Department Heads and four rank and file employees) were terminated by the Parish President (prior to his taking office). Upon question by the members of the Council, the four rank and file employees were allowed to continue employment until a legal opinion could be obtained.
- b) utilizing legal services of his son as a pro bono attorney,
  - (1) The son and the father, both together and separately, have acknowledged that the son shall be serving the father as pro bono attorney. The following are examples of the "legal services" being provided by Mr. Shane Romero:
    - Directing employees of Iberia Parish Government, presumably, on behalf of President, in requesting copies of various documents from Parish files of all types, including copies of Personnel Policy Acknowledgment Forms from specified individuals' personnel files. It should be noted that those employee records requested included those employees who were originally terminated and rehired by the Parish President as part of Question A above, which has been submitted to the Louisiana Attorney General.
    - Meeting, with and without the President in attendance, with several members of the Iberia Parish Council and questioning each Council member's intentions regarding the Council's ratification of the appointment of Department heads and regarding the creation of a new employee position being requested by the President as a

Communications Coordinator. It should be noted that all of the persons recommended for appointment were present at these meetings. During some of these meetings, Shane Romero, acting as the Parish President's agent, directed the meeting.

- Is it permissible for the Parish President's son to be present in Council meetings, providing legal advice to his father and also during the course of other Parish business.
- c) allowing non-employed individuals (including his son who is acting as pro bono attorney as explained above) access to secured office areas and files and/or documents, as follows:
- While spending numerous hours within the non-public areas of the offices of Parish Government, Shane Romero and another citizen seeking employment with the new Administration, but not yet an authorized employee, directed parish employees (presumably, under the orders of the Parish President) to perform certain tasks including requests to provide copies of various information. Shane Romero also requested copies of information from parish employee personnel files.
- d) meetings have been called, at half hour intervals, at the request of the Parish President with individual Council members to request Council support for ratification of directors recommended by the Parish President and to request Council support for the creation of a new position the Administration is hoping to create. Please note that these meetings were held with and without the Parish President in attendance, with some being conducted by the President's son, Shane Romero, asked questions, made comments and gave direction for the meeting. It should be further noted that all of the persons recommended for appointment were present at these meetings.
- e) notes have been passed to the Parish President from the general public during public Council meetings while the Parish President is being questioned for information by Council members concerning specific agenda items, as follows:
- Shane Romero and another private citizen seeking employment with the new Administration passed notes to the Parish President from the audience during the Council's public meeting.

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded to the Louisiana Attorney General and the Louisiana Board of Ethics, with additional information as necessary to fully explain the situations which have occurred, including copies of the Home Rule Charter, the Parish Personnel Policy, etc.

BE IT FURTHER RESOLVED, that copies of any responses received regarding this Resolution shall be provided for further discussion and review by the Iberia Parish Council as soon as possible.

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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: Maggie F. Daniels, Curtis Boudoin and Lloyd Brown.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

Resolution Summary No. 43 failed to be recommended by the Executive Committee during its meeting held on this date, but the Council Chairman requested a vote on the Summary for the Council minutes.

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

RESOLUTION NO. 2012-43

A RESOLUTION AMENDING THE 2012 GENERAL FUND BUDGET IN THE AMOUNT OF \$12,391 TO PROVIDE FUNDING FOR SALARY AND RELATED BENEFITS FOR THE PARISH PRESIDENT'S EXECUTIVE SECRETARY IN ORDER AUTHORIZE AN INCREASE IN THE ANNUAL SALARY FROM \$28,777 TO \$39,350, ALL TO BE FUNDED FROM THE FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Parish President has employed an Executive Secretary in the Administrative Branch, which annual salary is authorized at \$28,777, in accordance with the Archer Study; and

WHEREAS, the Parish President is proposing an annual salary of \$39,350 for said position; and

WHEREAS, it is necessary to amend the 2012 General Fund Budget to provide the necessary funding to facilitate this increase in the annual salary and related benefits for the Executive Secretary.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2012 General Fund Budget in the amount of \$12,391 to provide funding for the salary and related benefits for the Parish President's Executive Secretary, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
511000 1310 0000 0000	Personal Services	\$276,810	\$10,573
522100 1310 0000 0000	Medicare	\$4,014	\$153
523000 1310 0000 0000	Parochial Retirement	\$43,598	\$1,665

BE IT FURTHER RESOLVED, that this funding shall be funded from the 2012 General Fund Budget, Fund Budget - Previous Years.

BE IT FINALLY RESOLVED, That this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Iberia Parish President, all 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, Bernard E. Broussard, and Marty Trahan.

NAYS: Troy Comeaux, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

ABSENT: None.

And the Resolution **FAILED** to be adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-44

A RESOLUTION AMENDING THE 2012 PUBLIC BUILDING MAINTENANCE FUND BUDGET IN THE AMOUNT OF \$35,000 FOR PAINT AND SUPPLIES, A WASHER AND DRYER, AND MATERIALS AND SUPPLIES FOR A CABINET/COUNTER, ALL FOR THE IBERIA PARISH JAIL.

WHEREAS, the Iberia Parish Sheriff's Department has requested reimbursement of recent expenses, including paint, etc. used at the Iberia Parish Jail; and

WHEREAS, also requested is the purchase of a new washer and dryer unit which is estimated to cost approximately \$14,000 in accordance with quotes received for said equipment; and

WHEREAS, the Sheriff's Department has provided information, receipts and quotes for this request as follows:

Total Paint and Supplies . . . . . \$14,578.35  
 Total Washer and Dryer . . . . . \$13,494.10  
 Total Cabinet/Counter . . . . . \$3,362.34  
 This amount will be paid through the Stanley Detention Job, which is budgeted at \$20,000)

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize an amendment to the 2012 Public Buildings Maintenance Fund in the amount of \$35,000 to provide funding for the Iberia Parish Sheriff's Department for reimbursement for building expenses at the Iberia Parish Jail and for the purchase of a new washer and dryer, as follows:

ACCOUNT NO.					ACCOUNT TITLE	BUDGET		ADJUSTMENT
1170	599000	1919	0003	0000	F/B Prev Yrs	434,109	-	35,000
1170	574100	2105	0000	0000	Equip & Furn	0	+	17,060
1170	543100	2105	0000	0000	Rep & Mtce-Bldg	0	+	14,578
1170	575000	2105	0000	0000	Contract Pymts	0	+	3,362

BE IT FURTHER RESOLVED, that said amount shall be funded from the 2012 Public Buildings Maintenance 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

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

RESOLUTION NO. 2012-45

A RESOLUTION AMENDING THE 2012 PUBLIC BUILDINGS MAINTENANCE FUND BUDGET IN THE AMOUNT OF \$196,000 TO PROVIDE FUNDING FOR THE PURCHASE OF A DETENTION SPRINKLER SYSTEM FOR THE IBERIA PARISH JAIL, ALL AS REQUIRED BY THE LOUISIANA FIRE MARSHALL.

WHEREAS, there is a need to purchase a new detention sprinkler system for the Iberia Parish Jail as the current system has failed inspection by the Louisiana Fire Marshall; and

WHEREAS, there is a need to amend the budget to provide the necessary funds for this purchase.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2012 Public Buildings Maintenance Fund Budget in the amount of \$196,000 to provide funding for the purchase of a Detention Sprinkler System for the Iberia Parish Jail, as follows:

ACCOUNT NO.					ACCOUNT TITLE	BUDGET		ADJUSTMENT
1170	575000	2105	0000	0000	Contract Pymts	3,362	+	196,000
1170	599000	1919	0003	0000	F/B Prev Yrs	434,109	-	196,000

BE IT FURTHER RESOLVED, that said amount shall be funded from the 2012 Public Buildings Maintenance 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 1st day of February, 2012.

The following resolution was offered by Mr. Glenn Romero and seconded by Mr. Ricky Gonsoulin:

RESOLUTION NO. 2012-46

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT TO EXCEED FIVE MILLION DOLLARS (\$5,000,000) OF REVENUE BONDS, SERIES 2012, OF THE PARISH OF IBERIA, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID BONDS, MAKING APPLICATION TO THE STATE BOND COMMISSION FOR THE APPROVAL OF SAID BONDS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority, authorizes the Issuer to make and enter into contracts dedicating the excess of annual revenues of subsequent years, from any source, above statutory, necessary and usual charges to the payment of the cost of public improvements which are to be borne by the Issuer under such contracts; and

WHEREAS, the budget for the Parish of Iberia, State of Louisiana (the "Issuer" or the "Parish"), for the fiscal year ending December 31, 2012, shows an excess of revenues over statutory, necessary and usual charges and all other expenses for such fiscal year, sufficient to meet the maximum principal and interest requirements in any future year on the bonds authorized herein, and the Issuer will herein obligate itself and its successors in office to budget and set aside annually adequate funds for the payment of such bonds; and

WHEREAS, the Issuer owns a fairgrounds campus which includes a 160,000 square foot multi-purpose facility commonly known as SugArena (collectively, the "Acadiana Fairgrounds"), which is a revenue-producing public property; and

WHEREAS, pursuant to and in accordance with the foregoing, the Issuer now desires to incur debt and issue not to exceed Five Million Dollars (\$5,000,000) of its Revenue Bonds, Series 2012 (the "Bonds"), in the manner authorized and provided by the aforesaid Section 39:1430 of the Louisiana Revised Statutes of 1950, as hereinafter provided, for the purpose of constructing capital improvements at the Acadiana Fairgrounds, title to which shall be in the public, and paying the costs of issuance of the Bonds; and

WHEREAS, the Issuer has no outstanding bonds or other obligations of any kind or nature payable from the revenue sources pledged herein; and

BE IT RESOLVED by the Parish Council (the "Governing Authority") of the Parish of Iberia, State of Louisiana, acting as the governing authority of said Parish:

SECTION 1. Preliminary Approval of Revenue Bonds. Preliminary approval is given to the issuance of not exceeding Five Million Dollars (\$5,000,000) of Revenue Bonds, Series 2012 (the "Bonds") of the Parish of Iberia, State of Louisiana (the "Issuer" or the "Parish"), pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other

constitutional and statutory authority, for the purpose of constructing capital improvements at the Acadiana Fairgrounds, title to which shall be in the public, and paying the costs incurred in connection with the issuance thereof (the "Project"), said Bonds to be secured by and payable from first, the Net Revenues derived from the operation of the Acadiana Fairgrounds, whether such Net Revenues are paid to, collected by or inure to the benefit of the Issuer or the Acadiana Fairgrounds Commission, a component unit of the Issuer, and second, from the excess of annual revenues of the Issuer above statutory, necessary and usual charges in each of the fiscal years during which the Bonds are outstanding. The Bonds will be issued at an interest rate not exceeding 5% per annum and shall mature over a period of not exceeding twenty (20) years from the date of issuance. The Bonds shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than 97% of par, plus accrued interest, if any, and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Bonds and for consent and authority to proceed with the issuance and sale of the Bonds as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Issuer. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.," adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. Declaration of Intent. Prior to the delivery of the Bonds, the Issuer anticipates that it may pay a portion of the costs of the project from its General Fund. Upon the issuance of the Bonds, the Issuer reasonably expects to reimburse any such expenditures of other available funds from a portion of the proceeds of the Bonds. Any such allocation of proceeds of the Bonds for reimbursement will be with respect to capital expenditures (as defined in Reg. 1.150-1(b)) and will be made upon the delivery of the Bonds and not later than eighteen months after the later of (i) the date such expenditure was paid or (ii) the date on which the project was placed in service, but in no event more than three years after the original expenditure was paid. This Section is intended to be a declaration of official intent within the meaning of Reg. 1.150-2.

SECTION 4. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans,

Louisiana, as Bond Counsel, is hereby employed to do and perform legal work as bond counsel with respect to the issuance and sale of said Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of such series of revenue bonds and based on the amount of said Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said bonds. That pursuant to the instructions from the officials, Bond Counsel (in conjunction with Fiscal Services, Inc., of New Orleans, Louisiana, with respect to completion of statistical information) shall cause to be prepared an official statement containing detailed and comprehensive financial and statistical data with respect to the sale of the Bonds and the costs of the preparation and printing of said official statement shall be paid from the proceeds of the issue for which it has been prepared. Said official statement may be submitted to one or more of the nationally recognized bond rating service or services, together with a request that an appropriate rating be assigned. Payment for all ratings shall be made upon presentation of appropriate statements from the particular rating service furnishing the ratings. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the officials of the Issuer are hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated.

SECTION 5. Appointment of Financial Advisor. Government Consultants of Louisiana, Inc., of Baton Rouge, Louisiana, is hereby appointed as financial advisor in connection with issuing all or any portion of the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon the issuance of the Bonds; provided that no compensation shall be due to said financial advisor unless the Bonds are sold and delivered.

The foregoing 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, David Ditch, Ricky Gonsoulin, Glenn Romero, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

ABSTAINING: Roger Duncan.

And the Resolution was declared adopted on this, the 1st day of February, 2012.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4373 (Introduced by Troy Comeaux, District 5)

An Ordinance amending Chapter 16 of the Iberia Parish Compiled Ordinances to authorize a "No Parking Zone" on both sides of 2605 Kramer Drive, located in District 5.

COUNCIL MEMBER ANNOUNCEMENTS

1. Chairman Bernard E. Broussard announced the Parish President veto of Resolution 2012-09, which is a Resolution reverting budgeted salaries back to the minimum salary as stated on the Archer Study for all positions vacated after January 1, 2012. The Chairman explained the veto process and stated that this item would be scheduled for additional discussion at the next Council meeting following publication requirements.
2. Mr. Curtis Boudoin questioned CAO Joel Dugas regarding current information on DOTD project for improvements at LA 88. Mr. Dugas read from an email on the status of the project.
3. Mr. Roger Duncan announced that the bridge at Port Road over Commercial Canal has been completed.
4. Mr. Jerome Fitch questioned the status of the Parish's liability and workers compensation insurance. CAO Joel Dugas advised that originally four companies were participating in the process, but revisions were made so that only three companies remained in an effort to comply with new Parish regulations to include local vendors. CAO Dugas also verified that this Administration did not utilize the services of Mark Romero, who previously served as an Insurance Consultant at no cost to the Parish. Proposals for property and casualty insurance will be opened on February 8<sup>th</sup> with presentation to the Council for adoption on February 22<sup>nd</sup>. Chairman Bernard Broussard requested that the Administration seek a proposal from the Police Jury Association for the group health insurance renewals.

PARISH PRESIDENT ANNOUNCEMENTS

None.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Roger Duncan, 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