

SEPTEMBER 25, 2013

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, September 25, 2013.

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, and D. Wayne Romero.

ABSENT: Marty Trahan.

OTHERS IN ATTENDANCE: Chief Administrative Officer Thomas Burbank

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. Roger Duncan, its Chairman, who announced that the Council was now ready to conduct its business.

**PERSONS TO ADDRESS THE COUNCIL:**

1. Parish President Errol Romero was scheduled to address the Council to report on the cost estimates for the purchase and installation of speed bumps to be placed in New Iberia City Park per Resolution; however, he was not present at the meeting.

Mr. David Ditch requested that the Council consider the appropriation of \$1,400 at a future meeting and request that CAO Thomas Burbank meet with Mayor Curry to discuss this matter further. Mr. Troy Comeaux expressed concern that material provided through a memo from President Romero to the Council indicates that these speed bumps are not designed for roadways. Ms. Maggie F. Daniels expressed concern with the Parish's liability for the speed bumps.

**REPORTS (FINANCE AND ADMINISTRATIVE ACTION):**

1. Summarized Quarterly Report ending September 2013 to be presented by the Administration, all as required by Resolution No. 2012-451, adopted November 12, 2013. No report by Administration was presented at this time.
2. The Council then held a Public Hearing for the Council to act as Board of Review to obtain public comments and/or objections regarding property valuations as established by the Iberia Parish Tax Assessor for the year 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. David Ditch, 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, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion was declared adopted this 25th day of September, 2013.

Assessor Rickey Huval stated that approximately \$48 million surplus this year and pointed out that inventory continues to increase. Mr. Huval stated that an appeal has been filed since 2006 from Jefferson Island Storage and Hub and he continues to follow up with this appeal through the Court System.

Upon questioning, Mr. Huval stated that he continues to monitor property each year and values can be revalued during any four year period. He also stated that the Parish currently collects approximately 70 mills and can forward actual revenues figures to the Council tomorrow.

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. Troy Comeaux, seconded by Mr. Lloyd Brown, 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, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion was declared adopted this 25th day of September, 2013.

3. The Council then reviewed the Monthly Project Reports for active projects as submitted by (a) Berard, Habetz and Associates, Inc.

Mr. Troy Comeaux expressed his appreciation to Berard, Habetz and Associates, Inc. for providing these reports as requested by this Resolution.

#### **SPECIAL BUSINESS:**

1. Ms. Christie Dunn, CPA with Wright, Moore, Dehart, Dupuis, & Hutchinson, LLC, presented the Consolidated Budget Statement for the proposed 2014 budgets. Ms. Dunn stated that a memo was attached with the budget providing an explanation of the statement.

Ms. Dunn explained that property tax revenues are estimated and budgeted based on the most recent assessment, sales tax revenues are estimated based on collections for the current year and grant revenues are based on the actual grants received to date. Ms. Dunn stated that increases include 2.5% for salaries and benefits and 15% for the Parish's portion of insurance, while the Parish's portion of retirement benefits will decrease 16.75% to 16.00% beginning January 2014. Ms. Dunn stated that operating expenses remain constant for the most part and anticipate some changes. She pointed out that we are projecting to end 2014 with a \$13 million deficient, but pointed out that a \$9.9 million deficient was projected in 2013 and we actually ended with a surplus of \$3.56 million.

#### **COUNCIL MEMBER ANNOUNCEMENTS**

1. Mr. Bernard E. Broussard apologized for not being in attendance at the Special Meeting held on September 23rd; however, he was not aware that it had been called by the Chairman.

2. Mr. Troy Comeaux stated that he also was not in attendance due

- to a previous engagement.
3. Mr. Thomas J. Landry stated that he was also not in attendance due to a medical appointment.

### **PARISH PRESIDENT ANNOUNCEMENTS**

None.

A motion was made by Mr. D. Wayne Romero, seconded by Mr. Ricky J. Gonsoulin, 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, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion was declared adopted this 25th day of September, 2013.

Director of Planning, Permitting, and Zoning John Raines addressed the Council to advise that he was present to answer any questions regarding Summary No. 4480, which is an Ordinance amending regulations for the Industrial Zoning to include a section related to Hazardous Materials and to delete the reversionary clause for property not developed within one year of reclassification.

Mr. Glenn Romero advised that Mr. Todd Landry would like to address the Council regarding Summary Nos. 349 and 350, which are both related to the Bayou Portage Dredging Project that is being completed through an Intergovernmental Agreement between Iberia Parish and St. Martin Parish governments. Mr. Romero stated that Legal Counsel Dean Wattigny has provided the Council with a letter from Legal Counsel Chester Cedars advising the Parish to delete these Summaries from the agenda at tonight's meeting.

Mr. Todd Landry then addressed the Council and expressed his concerns that St. Martin Parish has not complied with the Intergovernmental Agreement. Mr. Ricky J. Gonsoulin suggested that Legal Counsel Dean Wattigny could meet with Mr. Landry to discuss his concerns.

Ms. Laura Schlicher questioned if Summary No. 354, which deals with a proposed election to be called by the Levee Board, was only concerning the levee. Chairman Roger Duncan stated that it was and explained that this Summary should be deleted from the Council agenda as the Levee Board has deleted their request to hold an election at their meeting held on September 17, 2013.

Upon hearing no further comments, the Chairman requested a motion

to adjourn the Public Hearing and to reconvene into Regular Session.

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. Lloyd Brown, seconded by Mr. Troy Comeaux, 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, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion was declared adopted this 25th day of September, 2013.

Chairman Roger Duncan advised the Council that the reversionary clause for property not developed within one year of reclassification of said property would be deleted upon adoption of this Ordinance, along with providing addition classification for Industrial With Hazardous Materials classification.

A motion was made by Mr. Troy Comeaux, seconded by Mr. David Ditch, the following be adopted:

ORDINANCE NO. 2013-09-4480

AN ORDINANCE AMENDING CHAPTER 26 OF THE IBERIA PARISH COMPILED ORDINANCES TO PROVIDE REVISIONS TO THE IBERIA PARISH ZONING REGULATIONS TO INCLUDE PROVISIONS FOR I-1 BEING INDUSTRIAL WITHOUT HAZARDOUS MATERIALS AND I-HM BEING INDUSTRIAL WITH HAZARDOUS MATERIALS, ALL OF WHICH IS BEING CONSIDERED FOR RECOMMENDATION BY THE IBERIA PARISH ZONING COMMISSION AT ITS MEETING OF SEPTEMBER 19, 2013 AND TO INCLUDE THE DELETION OF THE REVERSIONARY CLAUSE FOR PROPERTY NOT DEVELOPED WITHIN ONE YEAR OF RECLASSIFICATION OF SAID PROPERTY.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance No. 2009-02-4099, adopted February 25, 2009, established Zoning Regulations for rural Iberia Parish and is recorded in the Official Records of Iberia Parish at COB 1430, Page 35.

SECTION 2. That Chapter 26 of the Iberia Parish Compiled Ordinances including Paragraph I-1 shall become subsection (a) and remain as written and further is hereby amended to add regulations for  
(b) Industrial with Hazardous Materials (I-HM) to be included as part of the (H) Zoning District I-1 (Industrial District) as follows:

Section 3.0 Districts and Regulations

(b) Zoning District I-HM (Industrial - Hazardous Materials)

Permitted Uses:

(1) All uses allowed in the Industrial District that transport, store, manufacture, combine, formulate, receive or deal in any hazardous materials plus any other use that transports, stores, manufactures, combines, formulates, receives or deals in any hazardous materials as defined by any and/or all Federal, State and Local Regulatory Agencies.

Permitted Uses by Special Use/Conditional Use Permit

(1) All uses allowed in the Industrial District Special Use/Conditional Use Permits that transport, store, manufacture, combine, formulate, receive or deal in any hazardous materials plus any other use that transports, stores, manufactures, combines, formulates, receives or deals in any hazardous materials as defined by any and/or all Federal, State and Local Regulatory Agencies.

Requirements Specific to I-HM (Industrial - Hazardous Materials)  
Floor Area - No limit

- (1) Floor Area - No Limit
- (2) Lot Area - Conformity to all State and Parish Regulations regarding water and sewer
- (3) Parking Requirements - See Article VI of this Ordinance
- (4) Buffer Requirements - Any industrial use in and I-1 Zoning District abutting another zoning classification must provide a buffer in the form of an eight (8) foot privacy fence or an approved solid landscape buffer.
- (5) Floor Area, Lot Area, Building Height, Parking Requirements, and Yard Buffer Requirements. These shall be established as part of the Special Use/Conditional Use Permit process and conform to all other State and Parish requirements and regulations.

SECTION 3. That Chapter 26 of the Iberia Parish Compiled Ordinances are hereby amended to DELETE Section 5-0 1. (b) 2. in its entirety, which reads:

2. Following the Iberia Parish Council's approval of an Industrial Zoning reclassification request, development must commence within one year or the property shall automatically revert to its previous zoning classification. Should Federal and/or State regulatory permit, an extension may be granted by the Director of Planning and Zoning, or the Iberia Parish Council's representative.

SECTION 4. That Chapter 26 of the Iberia Parish Compiled Ordinances are hereby amended to provide that Section 5-0 1. (b) 3 shall be renumbered to become 2.

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

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

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, Ricky J. Gonsoulin, Glenn Romero, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: David Ditch and Roger Duncan.

ABSENT: Marty Trahan.

And the Ordinance was declared adopted this 25th day of September, 2013.

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

ORDINANCE NO. 2012-09-4504

AN ORDINANCE ABANDONING ALL OF BLOCKS E, G, AND H, AND LOTS 5 THROUGH 33 OF BLOCK F (EXCLUDING LOTS 1, 2, 3, AND 4), OF TOWN AND COUNTRY SUBDIVISION, INCLUDING THE UNCONSTRUCTED PORTIONS OF FRISBY, NANCY, AND STEPHANIE ANN STREETS LOCATED WITHIN SAID BLOCKS, IN SAID SUBDIVISION, DISTRICT 6, ALL AS REVIEWED AND APPROVED BY THE IBERIA PARISH REGIONAL PLANNING COMMISSION.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

- SECTION 1. The Iberia Parish Police Jury granted Final Plat Approval to the Town and Country Subdivision on July 25, 1957, which is recorded in the Official Records of Iberia Parish at Plat Book 4, Folio 84.
- SECTION 2. The original owners, who have remained the current owners, have requested that the undeveloped portions of the subdivision (including all of Blocks E, G, and H, and Lots 5 through 33 of Block F (excluding Lots 1, 2, 3, and 4) and unconstructed streets (Frisby, Nancy, and Stephanie Ann Streets located only within said blocks) be abandoned.
- SECTION 3. That the Iberia Parish Regional Planning Commission has reviewed and approved this request at their August 15, 2013 meeting.
- SECTION 4. That the Iberia Parish Council does hereby abandon all of Blocks E, G, and H, and Lots 5 through 33 of Block F (excluding Lots 1, 2, 3, and 4), Block G, and H of Town and Country Subdivision, including the unconstructed portions of Frisby, Nancy, and Stephanie Ann Streets located within said blocks, in said subdivision, District 6.
- SECTION 5. That this Ordinance shall be recorded in the Official Records of Iberia Parish.
- SECTION 6. 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:

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Ordinance was declared adopted this 25th day of September, 2013.

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

ORDINANCE NO. 2013-09-4513

AN ORDINANCE AMENDING THE IBERIA PARISH COMPILED ORDINANCES TO REDUCE THE SPEED LIMIT ON WILLOW BEND DRIVE FROM 25 MPH TO 15 MPH, DISTRICT 8.

SECTION 1. That Chapter 16 of the Compiled Ordinances is hereby amended to reduce the speed limit on Willow Bend Drive from 25 to 15 mph as follows:

*Willow Bend Drive - 15 mph, located in Willow Bend Drive.*

SECTION 2. That the Public Works Department is hereby authorized to install signage to effect this Ordinance.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Ordinance was declared adopted this 25th day of September, 2013.

Mr. Jerome W. Fitch stated that Assessor Rickey Huval had calculated the figures for the increase in revenues and provided him this information. Mr. Fitch stated that the increase in revenues is approximately \$3.3 million.

A motion was made by Mr. Jerome W. Fitch, seconded by Mr. Lloyd Brown, that the Summary No. 322, which is a Resolution approving the Parish President's appointment of the position of Director of Finance and further approving the Parish President's amended salary of \$108,453 for said position, be deleted from the agenda at this time as the recommended appointee has been approved to be the Chief Administrative Officer at a Special Council Meeting held on September 23, 2013.

This motion to delete 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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion to delete was declared adopted this 25th day of September, 2013.

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

RESOLUTION NO. 2013-333

A RESOLUTION ACCEPTING AND APPROVING THE DISTRICT'S BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014, ALL AS RECOMMENDED BY THE IBERIA PARISH HOSPITAL SERVICE DISTRICT NO. 1 BOARD OF COMMISSIONERS.

WHEREAS, Louisiana Revised Statutes requires that the governing authority of the Parish must provide approval of annual budgets for Hospital Service Districts; and

WHEREAS, the Iberia Parish Hospital Service District No. 1 Commission has presented its annual proposed budget for Fiscal Year beginning October 1, 2012 through September 30, 2013, all as recommended by the Iberia Parish Hospital Service District No. 1 Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accept and approve the District's budget for Fiscal Year beginning October 1, 2012 through September 30, 2013, all as recommended by the Iberia Parish Hospital Service District No. 1 Commission.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Glenn Romero, seconded by Mr. Ricky J. Gonsoulin, that the Summary No. 349, which is a Resolution requesting the St. Martin Parish Government to move the spoil location for the Bayou Portage Drainage Improvements Project from the proposed site of the Prosper property, which is in close proximity to residences due to their concerns regarding possible contamination to water supply and odors caused by said spoil, and to consider an alternate site on the property of Todd Landry, which is further away from residences, be tabled at until the October 9, 2013 meeting and request that our Legal Counsel meet with Mr. Todd Landry to answer his questions prior to the October 9th meeting.

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

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

NAYS: None.

ABSENT: Marty Trahan.

And the motion to table was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Ricky J. Gonsoulin, seconded by Mr. Glenn Romero, that the Summary No. 350, which is a Resolution to the Iberia Parish School Board requesting their support of Iberia Parish Government's position on an alternate site on the property of Todd Landry for the Bayou Portage Drainage Improvements Project by denying access through their property to the Prosper property due to concerns of residents regarding possible contamination to water supply and odors from said spoil placement, be tabled at until the October 9, 2013 meeting and request that our Legal Counsel meet with Mr. Todd Landry to answer his questions prior to the October 9th meeting.

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

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

NAYS: None.

ABSENT: Marty Trahan.

And the motion to table was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. David Ditch, that the Summary No. 354, which is a Resolution to consider and take action with respect to adopting a Resolution approving the holding of an election in the Iberia Parish Levee, Hurricane and Conservation District, State of Louisiana, on Saturday, November 16, 2013, to authorize the levy of a special tax therein, be deleted from the agenda as the Iberia Parish Levee, Hurricane and Conservation District deleted their request to call an election at their the September 17, 2013 meeting.

This motion to delete 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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion to delete was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Mr. Ricky J. Gonsoulin, that the following be adopted:

RESOLUTION NO. 2013-357

A RESOLUTION ACCEPTING THE PROPERTY VALUATIONS FOR REAL AND PERSONAL PROPERTY FOR 2013 AS ESTABLISHED BY THE IBERIA PARISH ASSESSOR.

WHEREAS, the Iberia Parish Assessor has established the total assessed valuation of Real Property for 2013 at \$342,007,081; and

WHEREAS, the Iberia Parish Assessor has established the total assessed valuation of Personal Property for 2013 at \$293,732,316; and

WHEREAS, the Iberia Parish Assessor has presented the list of assessments for review for a period from August 29 - September 13, 2013, wherein all changes necessary and property were made and no further changes will be made for the 2013 tax year;

WHEREAS, during a public hearing held on Wednesday, September 25, 2012, while acting as a Board of Review for the assessed property valuations for Iberia Parish, an entity has filed an appeal to the Board of Review as follows:

1. Jefferson Island Storage and Hub.

regarding the certified assessed values for 2013; and

WHEREAS, the Iberia Parish Assessor has presented his evidence for this appeal and requests the support of the Iberia Parish Council in this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accept the property valuations for real and personal property for 2013 as established by the Iberia Parish Assessor.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby approve and agree to the terms of an existing Joint Stipulation Agreement as follows: (1) finding that pad gas is an operational necessity that forms part of Parcel No. 1101557001 as owned by Jefferson Island Storage & Hub, LLC, and therefore an 11% infrastructure rate must be applied to the pad gas consistent with the final ruling of the 19<sup>th</sup> Judicial District Court for the Parish of East Baton Rouge on that issue and (2) directing the Iberia Parish Assessor to revise its 2012 real and personal property ad valorem valuation for said Parcel to reflect the correct 11% infrastructure rate for the pad gas.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the Louisiana Tax Commission and the Iberia Parish Tax Assessor.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Lloyd Brown, unanimously seconded by Meses. Maggie F. Daniels and Aquicline Rener-Arnold, and Messrs. Curtis Boudoin, Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, and D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-358

A RESOLUTION OF CONDOLENCES TO THE FAMILY OF MRS. MAUDE "MS. LOVE" CONNER, MOTHER-IN-LAW OF OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS EMPLOYEE DEBRA CONNER, WHO PASSED AWAY ON SEPTEMBER 2, 2013.

WHEREAS, it is with profound sorrow that the Iberia Parish Council does hereby acknowledge the recent passing of Ms. Maude "Ms. Love" Conner, mother-in-law of Iberia Parish Government employee Debra Conner, who passed away on September 2, 2013; and

WHEREAS, "Ms. Love" was a daughter, sister, wife, mother, grandmother, great grandmother, and great-great grandchildren, in her family; and

WHEREAS, "Ms. Love" will be deeply missed by her family, her friends, and the community.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express its sincere sympathies and condolences to the family of Ms. Maude "Ms. Love" Conner, mother-in-law of Office of Homeland Security and Emergency Preparedness, who passed away on September 2, 2013.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the family of Ms. Maude "Ms. Love" Conner, mother-in-law of Iberia Parish Government employee Debra Conner, who passed away on September 2, 2013.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

A motion was made by Ms. Maggie F. Daniels, unanimously seconded by Ms. Aquicline Rener-Arnold, and Messrs. Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, and D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-359

A RESOLUTION OF CONDOLENCES TO THE FAMILY OF MR. ALLEN BODIN, FATHER OF FORMER ADMINISTRATIVE BRANCH EMPLOYEE JOLYN B. FLEMING, WHO PASSED AWAY ON SEPTEMBER 12, 2013.

WHEREAS, it is with profound sorrow that the Iberia Parish Council does hereby acknowledge the recent passing of Mr. Allen Bodin, Jr., father of former Administrative Branch employee Jolyn B. Fleming, who passed away on September 12, 2013; and

WHEREAS, Mr. Bodin was a son, brother, husband, father, and grandfather in his family; and

WHEREAS, Mr. Bodin will be deeply missed by his family, his friends, and the community.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby express its sincere sympathies and condolences to the family of Mr. Allen Bodin, Jr., father of former Administrative Branch employee Jolyn B. Fleming, who passed away on September 12, 2013.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the family of Mr. Allen Bodin, Jr.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. David Ditch, that the following be adopted as amended:

RESOLUTION NO. 2013-360

A RESOLUTION CONSIDERING THE INSTALLATION OF SPEED LUMPS/TABLES ON FRISBY AND NANCY STREETS, LOCATED IN TOWN AND COUNTRY SUBDIVISION, DISTRICT 6 AND AS AMENDED TO AMEND THE 2013 GENERAL FUND BUDGET, FUND BALANCE - PREVIOUS YEARS IN THE AMOUNT OF \$2,500 TO PROVIDE FUNDING FOR THE SOLICITATION OF ENGINEERING SERVICES TO PROVIDE COST ESTIMATES FOR THE PURCHASE AND/OR INSTALLATION OF SAID SPEED LUMPS/TABLES.

WHEREAS, a request has been received for the installation of speed lumps/tables on Frisby and Nancy Streets, located in Town and Country Subdivision, District 6; and

WHEREAS, it is necessary to appropriate funding for the purchase of said speed lumps/tables and authorize

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby consider the installation of speed bumps on Frisby and Nancy Street, located in Town and Country Subdivision, District 6.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby amend the 2013 General Fund Budget in the amount of \$2,500 to provide funding for the solicitation of engineering services to provide cost estimates for the purchase and/or installation of speed lumps/tables on Frisby and Nancy Streets as follows:

| <u>ACCOUNT NO.</u>    | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>ADJUSTMENT</u> |
|-----------------------|----------------------|---------------|-------------------|
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs    | \$2,137,445   | \$2,500           |
| 533000 3100 0000 0000 | Professional Srvcs   | -0-           | \$2,500           |

BE IT FURTHER RESOLVED, that said funding shall be funded from the Fund Balance - Previous Years Line Item.

BE IT FURTHER RESOLVED, that the Administration is hereby authorized to solicit engineering services to provide cost estimates for the purchase and/or installation of said speed lumps/tables.

BE IT FURTHER RESOLVED, that the Administration shall report back to the Council at its next regularly scheduled meeting upon receipt of said cost estimates for further action by the Council.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

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

RESOLUTION NO. 2013-361

A RESOLUTION GRANTING SUBSTANTIAL COMPLETION TO THE MARSH ISLAND TERRACING PROJECT, ALL AS COMPLETED BY SHORELINE MARINE, LLC AND ALL AS RECOMMENDED BY SHAW ENVIRONMENTAL AND INFRASTRUCTURE, INC., PROJECT ENGINEERS.

WHEREAS, the Iberia Parish Government has contracted with Shoreline Marine, LLC for the Marsh Island Terracing Project; and

WHEREAS, said project has been overseen by Project Engineers Shaw Environmental and Infrastructure, Inc., and they are recommending Substantial Completion be granted to said project.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby grant Substantial Completion for the Marsh Island Terracing Project, all as completed by Shoreline Marine, LLC.

BE IT FURTHER RESOLVED, that this Resolution is adopted on the recommendation of Shaw Environmental and Infrastructure, Inc., Project Engineers.

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

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

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

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

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

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

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

RESOLUTION NO. 2013-362

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE-PURCHASE AGREEMENT WITH BANCORPSOUTH EQUIPMENT FINANCE FOR FIVE (5) 2013 JOHN DEERE TRACTORS WITH ALAMO MOWERS THAT WERE ACQUIRED THROUGH STATE CONTRACT FROM HI-CROP EQUIPMENT AND ALAMO INDUSTRIAL.

WHEREAS, the Iberia Parish Council (the "Governing Body") of Iberia Parish Government (the "Lessee"), acting for and on behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with BankcorpSouth Equipment Finance, a division of BankcorpSouth Bank (the Lessor) for the purpose of presently purchasing the equipment (five 2013 John Deere Tractors with Alamo mowers) as described therein for the total cost specified therein (collectively the "Equipment") and to purchase such other equipment from time to time in the future upon appropriate approval.
2. The Lessee is authorized, pursuant to La. R.S. 33:1236, to acquire equipment and furniture by Agreement and pay interest thereon under the Agreement, provided that the Agreement contains a non-appropriation clause.
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement.
4. It is necessary for the Lessee to approve and authorize the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize and approve the execution of an equipment lease-purchase agreement with BancorpSouth Equipment Finance, a division of BancorpSouth Bank for the purpose of the lease-purchase of five 2013 John Deere Tractors with Alamo mowers.

BE IT FURTHER RESOLVED, that the Iberia Parish Council, for and on behalf of the Lessee as follows:

1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and the Parish President, Errol Romero, (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.
2. The Agreement is being issued in calendar year 2013.
3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.
5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.
6. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute said documents, contingent upon review and approval by the District Attorney's Office.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Troy Comeaux, seconded by Mr. Jerome W. Fitch, that the Iberia Parish Council does hereby recess its Regular Session and convene in Public Hearing to receive comments regarding the following items:

SUMMARY NO. 363 (Introduced by Parish President)

A Resolution granting Final Acceptance to the CIAP Bridge Replacements at Commercial Canal over (a) David Duboin Road and (b) Port Road, all as completed by Gray Construction Corporation and all as recommended by Sellers and Associates, Inc., Project Engineers.

And the motion to go into Public Hearing, 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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the motion to go into Public Hearing was adopted this 25th day of September, 2013.

Upon hearing no public comments, a motion was made by Mr. Troy Comeaux, seconded by Mr. Ricky J. Gonsoulin, that the Iberia Parish Council does hereby recess its Public Hearing and reconvene in Regular Session.

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

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

NAYS: None.

ABSENT: Marty Trahan.

And the motion was adopted this 25th day of September, 2013.

A motion was made by Mr. Troy Comeaux, seconded by Mr. Curtis Boudoin, that the agenda be expanded to discuss and consider Resolution Summary No. 363, which is a Resolution granting Final Acceptance to the CIAP Bridge Replacements at Commercial Canal over (a) David Duboin Road and (b) Port Road, all as completed by Gray Construction Corporation and all as recommended by Sellers and Associates, Project Engineers.

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, David

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

NAYS: None.

ABSENT: Marty Trahan.

And the motion to expand the agenda was declared adopted this 25th day of September, 2013.

A motion was made by Mr. Jerome W. Fitch, seconded by Mr. Glenn Romero, that the following be adopted:

RESOLUTION NO. 2013-363

A RESOLUTION GRANTING FINAL ACCEPTANCE TO THE CIAP BRIDGE REPLACEMENTS AT COMMERCIAL CANAL OVER (A) DAVID DUBOIN ROAD AND (B) PORT ROAD, ALL AS COMPLETED BY GRAY CONSTRUCTION CORPORATION AND ALL AS RECOMMENDED BY SELLERS AND ASSOCIATES, INC., PROJECT ENGINEERS.

WHEREAS, the Iberia Parish Government has contracted with Gray Construction Corporation for the CIAP Bridge Replacement at Commercial Canal over David Duboin Road; and

WHEREAS, Gray Construction Corporation has completed their contract and Resolution No. 2013-264 adopted on July 10, 2013 authorized the execution of an Act of Acceptance for said project; and

WHEREAS, it is the recommendation of Project Engineers Sellers and Associates, Inc. that Final Acceptance be granted to said project.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby grant Final Acceptance to the CIAP Bridge Replacements at Commercial Canal over (a) David Duboin Road and (b) Port Road.

BE IT FURTHER RESOLVED, that this project has been completed by Gray Construction Corporation.

BE IT FURTHER RESOLVED, that this Resolution is adopted upon the recommendation of Sellers and Associates, Inc., Project Engineers.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute all documents necessary to effect Final Acceptance of said project.

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.

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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, and D. Wayne Romero.

NAYS: None.

ABSENT: Marty Trahan.

And the Resolution was declared adopted this 25th day of September, 2013.

ORDINANCES INTRODUCED

SUMMARY NO. 4508 (Introduced by Zoning Commission)

An Ordinance authorizing the abandonment of portions of Jill and Tasha Street located in the Breaux Estates Subdivision, located in District 9, all as reviewed and approved by the Iberia Parish Regional Planning Commission.

A motion was made by Mr. Troy Comeaux, seconded by Mr. Jerome W. Fitch, that the Iberia Parish Council does hereby adjourn.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

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Clerk of the Council

/bpb