

OCTOBER 23, 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, October 23, 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 J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

ABSENT: None.

OTHERS IN ATTENDANCE: John Raines, Director of Permitting,
Planning, and Zoning

Herman Broussard, Director of Public Works
Prescott Marshall, Director of Office of
Homeland Security and Emergency Preparedness
William "Bill" Hulin, Maintenance Superintendent

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.

A motion was made by Ms. Aquicline Rener-Arnold, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby approve the minutes of a Regular Meeting held October 11, 2013.

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, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 23rd day of October, 2013.

PERSONS TO ADDRESS

1. Representatives of the Iberia Parish County Agents Office presented their annual report and introduction of new agents. Addressing the Council was Mr. Blair Hebert and Dr. Tom Hymel.
2. Mr. Terry Crochet, representing Architect's Design Studio, addressed the Council to make the initial presentation of the conceptual planning document for resolving space needs in the Main Courthouse Building. This initial plan includes moving the Sheriff's Office to the former School Board Administrative Building and moving Iberia Parish Government to a building at the Airport. This frees the space necessary for the Court related functions, such as District Judges, District Attorneys, etc.
3. Mr. Christopher Martin of the Iberia Parish Boys and Girls Club also addressed the Council regarding the Club's vision and provided a report on the Club in Iberia Parish.

REPORTS (FINANCE AND ADMINISTRATIVE ACTION):

1. Summarized Quarterly Report for September 2013 was included in discussion by the Council, all as required by Resolution No. 2012-451, adopted November 28, 2012. Reports were provided in mailed out packets.

A motion was made by Mr. Bernard E. Broussard, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby recess its Regular Session and convene in Public Hearing to obtain comments regarding proposed Ordinances and/or Resolutions being considered for 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, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

ABSENT AT VOTING: Glenn Romero.

And the motion was declared adopted this 23rd day of October, 2013.

Mr. Jarrod Suire and Mr. Mike Oubre addressed the Council in opposition to proposed Ordinance Summary No. 4514 which changes the zoning classification on property near Freetown Road. Mr. Suire presented a petition of residents of that area in opposition to the proposed reclassification. Speaking in favor of the proposed Ordinance was Mr. Hebert and Dana Romero.

During the public hearing, Chairman Roger Duncan relinquished the Chair to Vice-Chair Aquicline Rener-Arnold and he further resumed the Chair.

Addressing the Council regarding various requested revisions to the Dirt Pit Ordinance, Summary No. 4518, was Mr. James Stein, Mr. Randy Gonsoulin, Ms. Van Brocklin and Mr. John Raines.

Mr. Bill Hulin, Building Maintenance Superintendent, addressed the Council regarding Resolution Summary No. 392 for estimates for the Cooling Tower of the Main Courthouse Building and funding for Robert B. Green Building repairs.

Upon hearing no further comments regarding proposed Ordinances and/or Resolutions, a motion was made by Ms. Maggie F. Daniels, seconded by Mr. Bernard E. Broussard, that the Iberia Parish Council does hereby adjourn its Public Hearing and reconvene in 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, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 23rd day of October, 2013.

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

ORDINANCE NO. 2013-10-4514

AN ORDINANCE DELETING ZONING DISTRICTS ALONG WEST OLD SPANISH TRAIL IN DISTRICT 3, AS THEY ARE IN THE CORPORATE LIMITS OF THE CITY OF NEW IBERIA AND SHOULD NOT HAVE BEEN INCLUDED ON THE PARISH'S ZONING MAP.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

- SECTION 1. That Ordinance No. 2009-02-4099 adopted February 25, 2013, established zoning regulation for rural Iberia Parish and is recorded in the Official Records of Iberia Parish at COB 1430, Page 65, which indicates said property to be zoned as Mixed Residential (R-2) and General Business Commercial (C-2) and Agricultural (A-1).
- SECTION 2. The Department of Permitting, Planning and Zoning has verified the incorrect assignment of Parish Zoning to property within the Corporate Limits of New Iberia.
- SECTION 3. The Zoning Commission accepted public input concerning the reclassification request at the August 15, 2013 meeting, and after due deliberation recommends the official deletion of the said Parish zoning designations on this property.
- SECTION 4. That the Iberia Parish Council does hereby delete Zoning Districts along West Old Spanish Trail in District 3, bearing the municipal address numbers of (a) 2600 & 2602 W. Washington Street; (b) 2511, 2518, 2617, & 2907 W. Old Spanish Trail; and (c) 1000 Darby Lane.
- SECTION 5. That this Ordinance and attached plat 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:

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, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Ordinance was declared adopted this 23rd day of October, 2013.

A motion was made by Mr. Thomas J. Landry, seconded by Mr. D. Wayne Romero, that the following be adopted:

ORDINANCE NO. 2013-10-4515

AN ORDINANCE OF THE IBERIA PARISH COUNCIL DENYING THE ZONING RECLASSIFICATION REQUEST OF BABINEAUX HOMESTEAD, LLC FROM AGRICULTURAL (A-1) TO INDUSTRIAL (I-1) AND MIXED RESIDENTIAL (R-2) FOR PROPERTY LOCATED IN THE 4900 BLOCK OF FREETOWN ROAD AND NORTH OF PAUL SEGURA INDUSTRIAL PARKWAY IN DISTRICT 14.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance No. 2009-02-4099 was 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 65, which indicated said property to be zoned as Agricultural (A-1).

SECTION 2. The property owners have requested reclassification from Agricultural (A-1) to Industrial (I-1) AND Mixed Residential (R-2) for the purpose of developing twenty three (23) acres industrially as a possible expansion of the Paul Segura Industrial Park with the remaining three (3) acres to be developed as Mixed Residential (R-2) to better co-exist with the residences along Freetown Road.

SECTION 3. The Zoning Commission accepted public input concerning the reclassification request at the September 19, 2013 meeting, and after due deliberation did recommend DENIAL of the reclassification of the site from Agricultural (A-1) to Industrial (I-1) and Mixed Residential (R-2) because:

1. The industrial property is located north of the Paul Segura Industrial Park and south of the Iberia Parish Landfill which are both zoned industrially;
2. The area to the west along La. Hwy. 90 is also zoned industrially with scattered Mixed Residential zoning;
3. The applicant is proposing to expand the Paul Segura Industrial Park northward into the twenty three (23) acres;
4. The applicant is proposing to buffer the industrial park expansion from the nearby area residents and is also proposing to keep the Freetown Road frontage zoned Mixed Residential;
5. The applicant is not requesting access onto Freetown Road in an effort to protect the residential character and integrity of the Freetown residents;
6. The residents are concerned that even without the access to Freetown Road, their serenity and tranquility would be disturbed because of the ambient adverse impacts of industrial development in such proximity to their homes;
7. The area residents are concerned that the industrial intrusion disrupts their quiet neighborhood and will have an adverse impact on the children and adults of the area; and
8. The neighbors are concerned that an expanded concentration of industrial development in their area will continue to deteriorate the environmental quality of their homes.

SECTION 4. That the Iberia Parish Council does hereby DENY the zoning reclassification of Babineaux Homestead, LLC from Agricultural (A-1) to Industrial (I-1) and Mixed Residential (R-2) for property located in the 4900 Block of Freetown Road and north of Paul Segura Industrial Parkway in District 14.

SECTION 5. That the 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.

A substitute motion was made by Mr. Troy Comeaux, seconded by Mr. David Ditch, that an Ordinance be adopted approving the zoning reclassification request of Babineaux Homestead, LLC from Agricultural (A-1) to Industrial (I-1) and Mixed Residential (R-2) for property located in the 4900 Block of Freetown Road and north of Paul Segura Industrial Parkway in District 14.

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

YEAS: Troy Comeaux, Bernard E. Broussard, David Ditch, and Ricky J. Gonsoulin.

NAYS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Glenn Romero, Roger Duncan, Jerome W. Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

ABSENT: None.

And the substitute Ordinance FAILED to be adopted this 23rd day of October, 2013.

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

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: Troy Comeaux, Bernard E. Broussard, David Ditch, and Ricky J. Gonsoulin.

ABSENT: None.

And the original Ordinance was declared adopted this 23rd day of October, 2013.

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

ORDINANCE NO. 2013-10-4516

AN ORDINANCE OF THE IBERIA PARISH COUNCIL APPROVING THE ZONING RECLASSIFICATION REQUEST OF BLB DEVELOPMENT FROM MIXED RESIDENTIAL (R-2) TO INDUSTRIAL (I-1) FOR PROPERTY LOCATED AT 3202 MELANCON ROAD IN DISTRICT 14.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance No. 2009-02-4099 was adopted on February 25, 2009 established Zoning Regulations for Iberia Parish and is recorded in the Official Records of Iberia Parish at COB 1430, Page 65, which indicates said property to be zoned as Mixed Residential (R-2).

SECTION 2. The property owners have requested reclassification from Mixed Residential (R-2) to Industrial (I-1) because the property comprises 1.360 acres and has seven existing office/warehousing/fabricating buildings which have been in operation for six (6) years, predating the adoption of the Zoning Map and Ordinance and are proposing to future expansion of an existing oilfield contracting office.

SECTION 3. The Zoning Commission accepted the application for reclassification and in accordance with LA Enabling Legislation did prove proper notice to all appropriate parties and did proper general advertisement and did conduct a Public Hearing to receive public input on the reclassification request.

SECTION 4. The Zoning Commission accepted public input concerning the reclassification request at the September 19, 2013 meeting, and after due deliberation did recommend approval of the reclassification of the site from Mixed Residential (R-2) to Industrial (I-1) because:

- (a) The applicant is an existing industrial use which has been operating on the site for six (6) years,
- (b) The applicant's site consists of seven (7) existing office/warehousing/fabricating buildings on 1.360 acres,
- (c) The applicant currently employees approximately seventy five (75) employees,
- (d) The applicant's site is across from major industrially used and zoned properties along the US HWY 90 Corridor,
- (e) The applicant's site is south of major industrially used and zoned properties along the US HWY 90 Corridor,
- (f) There were no objections voiced during the public input time period or at the public hearing, and

(g) The applicant is a well-established facility in the area and the community.

SECTION 5. That the Iberia Parish Council does hereby reclassify the property of BLB Development from Mixed Residential (R-2 to Industrial (I-1) for property located at 3202 Melancon Road in District 14.

SECTION 6. That this Ordinance shall be recorded in the Official Records of Iberia Parish.

SECTION 7. That the 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 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, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: David Ditch.

ABSENT: None.

And the Ordinance was declared adopted this 23rd day of October, 2013.

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

ORDINANCE NO. 2013-10-4517

AN ORDINANCE AMENDING THE IBERIA PARISH ZONING ORDINANCE TO APPROVE THE ZONING RECLASSIFICATION OF TJK PROPERTIES, LLC (ARCENEUX FORD) FROM THE CURRENT CLASSIFICATION OF AGRICULTURAL (A-1) TO COMMERCIAL GENERAL BUSINESS (C-2) LOCATED AT THE INTERSECTION OF N. GRAND PRAIRIE/WEST HWY. 90 FRONTAGE ROAD IN DISTRICT 2.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance No. 2009-02-4099, adopted February 25, 2009, established the Zoning Regulations for rural Iberia Parish and is recorded in the Official Records of Iberia Parish at COB 1430, Page 65, which indicated said property to be zoned Agricultural (A-1).

SECTION 2. The property owners have requested reclassification of said property from Agriculture (A-1) to Commercial General Business (C-2) for the purpose of constructing and operating an automobile dealership.

SECTION 3. The Zoning Commission accepted public input concerning the reclassification request at the March 21, 2013 meeting, and after due deliberation, did recommend approval of the reclassification of the site from Agricultural (A-1) to Commercial General Business (C-2) because:

1. The property is proposed to be developed as an automobile dealership;
2. An automobile dealership and attendant services is a permitted use in the Commercial General Business (C-2) Zoning District;
3. The property is located at the intersection of N. Grand Prairie/West Hwy 90 a vital commercial arterial through Iberia Parish and prime commercial/industrial corridor;
4. Other properties are zoned Commercial General Business and Industrial along this corridor and are a vital aspect of Iberia Parish; and
5. The proposed automobile dealership is a viable asset to the community and should be encouraged to prosper and grow.

SECTION 4. That the Iberia Parish Council does hereby reclassify the property of TJK Properties, LLC (Arceneaux Ford) from Agricultural (A-1) to Commercial General Business (C-2).

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:

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, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Ordinance was declared adopted this 23rd day of October, 2013.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Glenn Romero, that the Summary No. 4518, which is an Ordinance amending the Iberia Parish Zoning Ordinance to establish regulations for the operation and location of residential and commercial pits within Iberia Parish, as amended to reflect a 30 day period to file notice of existence, to remove any license fees other than occupational license costs, to allow work from dusk to dawn seven (7) days a week, with the exception of major holidays as defined.

A substitute motion was made by Mr. David Ditch, seconded by Mr. Thomas J. Landry, that the following be adopted as amended:

ORDINANCE NO. 2013-10-4518

AN ORDINANCE OF THE IBERIA PARISH COUNCIL AMENDING THE IBERIA PARISH ZONING ORDINANCE TO ESTABLISH REGULATIONS FOR THE OPERATION AND LOCATION OF RESIDENTIAL AND COMMERCIAL PITS WITHIN IBERIA PARISH, AS AMENDED TO REFLECT A 30 DAY PERIOD TO FILE NOTICE OF EXISTENCE, TO REMOVE ANY FEES OTHER THAN OCCUPATIONAL LICENSE COSTS, TO ALLOW WORK FROM DUSK TO DAWN SEVEN (7) DAYS A WEEK.

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 65, which does not include regulations for the operation and location of residential and commercial dirt pits.

SECTION 2. That current section entitled "Division XI. Enforcement, Violations, and Penalties" will be renumbered as Division XII.

SECTION 3. That the Iberia Parish Council does hereby establish regulations for the operation and location of residential and commercial dirt pits within Iberia Parish to be included as Division XI. Dirt Pit Regulations, as follows:

**DIVISION XI. DIRT PITS
RESIDENTIAL AND COMMERCIAL**

SECTION 24-171. Purpose.

A Dirt Pit is an allowed use by Special Use/Conditional Use Permit as recommended by the Iberia Parish Regional Zoning Commission and approved by the Iberia Parish Council. The purpose is to provide policies, standards, requirements, and procedures to regulate and control the location and expansion of commercial "dirt pits" and ensure that all such operations are located in a manner that will promote public health, safety, general welfare, and the physical and economic development of the area.

Dirt Pits are classified by two types: Residential (maximum two acre pond) for residential use only and Commercial (greater than two acres per tract) for the excavation of dirt as a business and each are considered separate and distinct uses.

No more than one (1) dirt pit/pond (regardless of size) shall be allowed; per tract of land, per owner unless approved by Special Use/Conditional Use Permit by the Iberia Parish Regional Zoning Commission and Parish Council. All federal, state and local agency permits are required. Written approvals shall be attached when applying for a Special Use/Conditional Use Permit and an Occupational Business License.

SECTION 24-172. Construction Requirements.

Banks - The banks of any pit or excavation shall be sloped to prevent sliding or caving when the useful time of the pit ends. The banks of all excavation sites shall be sloped at a grade of not less than three feet horizontal to one foot vertical. The finished grade of all excavation sites shall not adversely affect the surrounding land or the development of the site on which the excavating is being conducted.

Building Permit Required - Any proposed Dirt Pit must secure a Building Permit prior to commencement from the Department of Permitting, Planning and Zoning. The Building Permit fee is Two Hundred Dollars (\$200.00).

Drainage Impact Analysis - A Drainage Impact Analysis is required for all proposed dirt pits regardless of size, location, purpose, or function. The study shall be reviewed and approved by the Iberia Parish Public Works Department and shall accompany the Special Use/Conditional Use Permit application prior to the issuance of any building permits or licenses.

Endangered Species Act Compliance and Wetlands Determination - Any proposed dirt pit in a Special Flood Hazard area must seek and secure approval from the Department of Wildlife and Fisheries.

Flood Zone Determination - A Flood Zone determination letter shall accompany the drainage impact analysis and traffic study (if required) when applying for a Special Use/Conditional Use Permit to operate a proposed dirt pit within Iberia Parish. If the proposed site is located within an area determined to be a floodway or inside a flood prone area, the application may be rejected.

Required Setbacks - Proposed commercial dirt pits must be setback a minimum of one hundred fifty feet (150') from any public road or established private right-of-ways. Proposed Commercial dirt pits shall be setback a minimum of fifty feet (50') from any adjacent property line and a minimum of five hundred feet (500') from any habitable structure (unless the owner of said structure indicates in writing that he has no objections). All proposed dirt pits within five hundred feet (500') from a habitable structure or any residential zoned area must have at least a fifty foot (50') green planted strip (can be natural vegetation) and should remain as a buffer between the proposed pit and the property line of the adjacent property. This requirement shall not apply to legal non-conforming dirt excavation pits, in existence prior to adoption of

this ordinance. Any encroachment that may have existed as of the adoption of this ordinance may not be increased.

Run-off Water - Any pit or excavation shall be drained so that it will not collect water. As part of the application process, the applicant shall state in writing where and what direction the water will drain (i.e. coulee, ditches, canals and bodies of water). The owner shall also state what, if any types of materials, chemicals, etc. will be included in the water drained from the pits that ultimately flows into waterways.

Site Location - The intent of the location criteria is to ensure the compatibility of the site with adjacent properties and with the surrounding general area while imposing appropriate performance standards (i.e. setbacks, buffering, etc.) to allow suitable development of the site. For the purposes of this section, "sites" shall be defined as the entire property, or specified portion thereof, for which this permit is requested or applied. The permitted use of "Dirt Pits or Dirt Excavation Pits" shall be within the A-1 Agricultural Districts only by Special Use/Conditional Use Permit. Only the extraction, removal and transportation of dirt excavated from the site will be permitted.

SECTION 24-173. Operations of Pits.

Access Restrictions - Access shall be to a public road or established private right-of-way; however, access through an existing approved residential subdivision approved by the Iberia Parish Regional Planning Commission is not allowed, unless approved as a Special Use/Conditional Use Permit. Public road access shall not be constructed nor culverts installed, unless pre-approved by Iberia Parish Public Works accompanied by an engineered traffic study (if required), the Department of Transportation (if required), the Iberia Parish Regional Planning Commission, the Iberia Parish Permitting, Planning & Zoning Office, and the Iberia Parish Council. The Public Works Department shall review the ingress and egress routes to determine if they are suitable for the vehicles and loads to be used, and if there are any adverse impacts on Parish right-of-ways or roadways.

Business Licence Required - Commercial Dirt Pits must register with the Department of Permitting, Planning and Zoning and the Department of Administration within thirty (30) days of adoption of this ordinance listing the depth and width of each existing pit. Upon receipt and compliance with this Section, the existing Commercial Dirt Pit operator will be provided a Building Permit and Certification of Compliance. In order to expand the existing site, the owner shall apply for a (Permit to Expand) and appear before the Iberia Regional Board of Adjustment. Expansion of the existing area shall be subject to compliance with the terms as set forth and adopted in this ordinance.

Closures - No Dirt Pit may be closed or filled without securing a Department of Agriculture Permit.

Existing Dirt Pit Operations - Within thirty (30) days of adoption of this ordinance, all existing dirt pit owners shall register their commercial operations showing pit depth, width and location. Prior to expansion, the owner shall submit an application to expand and appear before the Iberia Regional Zoning Commission for

approval. Upon issuance of the permit to expand, all new areas shall comply with the regulations as set forth herein.

Hours of Operation - Existing and Proposed Commercial Dirt Pits are allowed to operate seven (7) days a week from dusk to dawn.

Required On-Site Equipment - Proposed Commercial Dirt Pits shall have a water source on-site, for irrigation purposes, sufficient to comply with the Department of Environmental Quality.

Watering Trucks - Watering trucks shall wet down the dirt roads traveled during hours of dirt hauling operations, if there are residential structures located within five hundred feet (500') of dirt access road or pit area. Dust shall be controlled on interior drives or streets so that it does not create a nuisance to neighboring property owners. It is the dirt pit owner's responsibility to ensure that all trucks exiting the dirt pit site are tarped or covered in accordance with the requirements of the Department of Environmental Quality.

Waivers/Variances - Any requested waiver or variance of any of the Regulations must seek approval from the Iberia Parish Regional Zoning Commission as a Special Use/Conditional Use Permit.

SECTIONS 24-174 through 24-181. Reserved.

SECTION 4. That enforcement, violations, and penalties of these regulations shall be in accordance with Chapter 24, Article III., Division XII. (formerly Division XI.)

SECTION 5. That the 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 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, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

RECUSED AT VOTING: Jerome W. Fitch.

And the Ordinance was declared adopted this 23rd day of October, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Mr. David Ditch, that Summary No. 4519, which is an Ordinance amending Chapter 2 of the Iberia Parish Compiled Ordinances to revise existing policy regarding the closing of committee agendas and/or the possibility of a change in the committee meeting schedule, be tabled to the next Executive Committee 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, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the motion to table was declared adopted this 23rd day of October, 2013.

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

RESOLUTION NO. 2013-392

A RESOLUTION AMENDING THE 2013 PUBLIC BUILDINGS MAINTENANCE FUND IN THE TOTAL AMOUNT OF \$105,000 TO INCLUDE FUNDING FOR THE COOLING TOWER FOR MAIN COURT BUILDING AND FUNDING FOR AIR CONDITIONING REPAIRS AT THE ROBERT B. GREEN MEMORIAL BUILDING, ALL TO BE FUNDED FROM FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Administration has requested amendment to Public Buildings Maintenance Fund Budget for (a) a cooling tower for the Main Court Building and (b) air conditioning repairs at the Robert B. Green Memorial Building; and

WHEREAS, it is necessary to amend said budget to facilitate funding for these repairs.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Public Buildings Maintenance Fund Budget to provide funding for the cooling tower for the Main Court Building in the amount of \$100,000 and funding for air conditioning repairs at the Robert B. Green Memorial Building in the amount of \$5,000, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$38,375	\$95,885
574100 1919 0003 0000	Furniture & Equip	\$22,000	\$100,000
574100 5100 0002 0000	Furniture & Equip	\$500	\$5,000
599000 1919 0003 0000	Fund Bal-Prev	\$9,115	(\$9,115)

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

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 23rd day of October, 2013.

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

RESOLUTION NO. 2013-393

A RESOLUTION AMENDING THE 2013 RABIES CONTROL FUND BUDGET IN THE AMOUNT OF \$16,000 FOR THE PURCHASE AND INSTALLATION OF THE DOG RAMP SLIDER UNITS, ALL TO BE FUNDED FROM FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Administration has requested amendment to the Rabies Control Fund Budget to purchase and install dog ramp slider units in the amount of \$16,000; and

WHEREAS, it is necessary to amend said budget to facilitate this purchase and installation.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2013 Rabies Control Fund Budget to purchase and install dog ramp slider units as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
499000 0000 0000 0000	Fund Bal-Prev Yrs	-0-	\$7,300
574100 4180 0000 0000	Equipment	\$10,009	\$160,000
599000 4180 0000 0000	Fund Bal-Prev Yrs	\$8,700	(\$8,700)

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

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 23rd day of October, 2013.

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

RESOLUTION NO. 2013-394

A RESOLUTION CERTIFYING TO THE LA. DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT THE IBERIA PARISH GOVERNMENT HAS COMPLIED WITH THE REQUIREMENTS OF THE FEDERAL AID OFF SYSTEM BRIDGE REPLACEMENT PROGRAM FOR THE PERIOD OF OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013, AS AMENDED TO BE CERTIFIED BY A LICENSED ENGINEER.

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 La. 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 La. Department of Transportation and Development (herein referred to as the DOTD), upon recommendation by a licensed engineer, that for the period of October 1, 2012 through September 30, 2013:

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.

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 23rd day of October, 2013.

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

RESOLUTION NO. 2013-395

A RESOLUTION GRANTING SUBSTANTIAL COMPLETION TO THE SUGAR CANE FESTIVAL BUILDING RE-ROOFING PROJECT, ALL AS COMPLETED BY DAUGHDRILL GENERAL CONTRACTING AND ROOFING COMPANY, INC. AND ALL AS RECOMMENDED BY DARBY ARCHITECTS.

WHEREAS, the Iberia Parish Government has contracted with Daughdrill General Contracting for the Sugar Cane Festival Building Re-roofing Project; and

WHEREAS, said project has been overseen by Project Engineers Darby Architects 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 Sugar Cane Festival Building Re-roofing Project, all as completed by Daughdrill General Contracting.

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

BE IT FURTHER RESOLVED, that this Resolution shall be recorded in the Official Records of the Iberia Parish Clerk of Court and further that Parish President Errol Romero is hereby authorized to make final payment for said project upon receipt of a Clear Lien Certificate and execute final acceptance of said project upon certification by Darby Architects, Project Engineers.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute all documents necessary for the completion 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, David Ditch, Ricky J. Gonsoulin, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Rener-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 23rd day of October, 2013.

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

RESOLUTION NO. 2013-396

A RESOLUTION AMENDING THE 2013 ECONOMIC DEVELOPMENT DISTRICT NO. 1 FUND BUDGET IN THE TOTAL AMOUNT OF \$68,000 TO PROVIDE FUNDING FOR LA. DEPARTMENT OF HEALTH AND HOSPITALS' PERMITTING FOR THE POOL AND LAZY RIVER AT THE CAJUN RVERA SITE AND FOR PAYMENT TO CLECO FOR TRANSFORMERS, ALL TO BE FUNDED FROM THE 2013 ECONOMIC DEVELOPMENT DISTRICT NO. 1 FUND BUDGET FUND BALANCE - PREVIOUS YEARS AND WHICH FUNDING SHALL BE CONSIDERED A GRANT, ALL IN ACCORDANCE WITH RESOLUTION NO. EDD#1-64 AND FURTHER AMENDING THE 2013 GENERAL FUND BUDGET IN THE AMOUNT OF \$85,000 FOR OPERATING EXPENSES FOR SAID PROJECT, ALL TO BE FUNDED FROM THE 2013 GENERAL FUND BUDGET, FUND BALANCE - PREVIOUS YEARS AND TO BE REPAID FROM REVENUES OF THE CAJUN RVERA OPERATIONS.

WHEREAS, the Cajun RVerA Project by the Acadiana Fairgrounds Commission is currently requesting additional funding in the amount of \$28,000 for permitting by the La. Department of Health and Hospitals for the pool and lazy river being constructed for said project in an effort to meet new State requirements for public pools; and

WHEREAS, the Commission is also requesting additional funding in the amount of \$40,000 for Cleco for the installation of transformers necessary for the electrical supply for the Cajun RVerA Project; and

WHEREAS, it is the Council's intent that these funds totaling \$68,000 funded from the 2013 Economic Development District No. 1 Fund Budget are considered grant funds to the Acadiana Fairgrounds for the Cajun RVerA Project; and

WHEREAS, the Commission has also requested a loan in the amount of \$85,000 to be used for start-up and operation expenses for the opening of the Cajun RVerA Project; and

WHEREAS, it is the intent of the Commission to repay the Iberia Parish Government for the appropriation from the 2013 General Fund with revenues derived from the operations of the Cajun RVerA, after retaining \$100,000 from said revenues for general operations.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend (a) the 2013 Economic Development District No. 1 Fund Budget in the total amount of \$68,000 to provide funding for La. Department of Health and Hospitals' permitting for the pool and lazy river and for payment to Cleco for the installation of transformers for the Cajun RVerA Project, all as requested by the Acadiana Fairgrounds Commission, which funds are to be considered grant funds and (b) the 2013 General Fund Budget in the total amount of \$85,000 to provide funding for start-up and operations for the Cajun RVerA Project, all as requested by the Acadiana Fairgrounds Commission, which funds are to be repaid by revenues of the project when revenues exceed \$100,000, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
Economic Development Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$14,407,686	\$68,000
960474 5240 0045 0000	Acadiana Fairgrounds	\$570,000	\$68,000
General Fund:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$2,159,945	\$85,000
960474 5240 0045 0000	AFC Construction Fd	\$1,045,500	\$85,000

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
Acadiana Fairgrounds Construction Fund:			
910001 5240 0045 0000	General Fund	\$1,045,500	\$85,000
910108 5240 0045 0000	Economic Development	\$570,000	\$68,000
574100 5240 0045 0000	Furniture & Equip	-0-	\$85,000
575000 5240 0045 0000	Contract Payments	\$1,775,500	\$28,000
533000 5240 0045 0000	Professional Srvs	-0-	\$40,000

BE IT FURTHER RESOLVED, that the funding in the amount of \$68,000 shall be appropriated from the 2013 Economic Development District No. 1 Fund Budget, Fund Balance - Previous Years Line Item and the funding in the amount of \$85,000 shall be appropriated from the 2013 General Fund Budget, Fund Balance - Previous Years Line Item.

BE IT FURTHER RESOLVED, that the funding in the amount of \$85,000 to provide funding for start-up and operations for the Cajun R Vera Project, all as requested by the Acadiana Fairgrounds Commission, which funds are to be repaid by revenues of the project when revenues exceed \$100,000

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, Bernard E. Broussard, Glenn Romero, Roger Duncan, Jerome Fitch, Aquicline Renner-Arnold, Marty Trahan, and D. Wayne Romero.

NAYS: Troy Comeaux, David Ditch, and Ricky J. Gonsoulin.

ABSENT: None.

And the Resolution was declared adopted this 23rd day of October, 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, Marty Trahan, and D. Wayne Romero, that the following be adopted:

RESOLUTION NO. 2013-397

A RESOLUTION OF CONDOLENCES TO THE FAMILY OF MR. CHARLES R. KELLY, FORMER MEMBER OF THE BATON ROUGE METROPOLITAN COUNCIL, WHO PASSED AWAY ON OCTOBER 12, 2013.

WHEREAS, it is with profound sorrow that the Iberia Parish Council does hereby acknowledge the recent passing of Mr. Charles R. Kelly, former member of the Baton Rouge Metropolitan Council, who passed away on October 12, 2013; and

WHEREAS, Mr. Kelly was a son, brother, husband, father, and grandfather to his family; and

WHEREAS, Mr. Kelly served his country faithfully untiringly and was a Korean Army Veteran; and

WHEREAS, Mr. Kelly served his community, State, and Nation in various capacities, including being a member of the Elders of the Jordan United Methodist Church, President and Vice President of the East Baton Rouge Southern University Alumni Association, a member of the East Baton Rouge Democratic Committee, a member of the Baton Rouge Metropolitan Council, a founding member of the Matadors Social Club, founding member of the Traveling Jaguars, President of the La. Police Jury Black Caucus, a former National Board member of the NUSA; and

WHEREAS, Mr. Kelly 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. Charles R. Kelly, former member of the Baton Rouge Metropolitan Council, who passed away on October 12, 2013.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the family of Mr. Charles R. Kelly.

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, Marty Trahan, and D. Wayne Romero.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 23rd day of October, 2013.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Thomas J. Landry, 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. 398 (Introduced by Lloyd Brown, District 4)

A Resolution requesting the Administration to direct the Public Works Department to move labor and equipment as soon as possible to the Acadiana Fairgrounds site of the Cajun Rvera Project to relocate all dirt piles into the existing ponds until said relocation is completed.

SUMMARY NO. 399 (Introduced by Jerome Fitch, District 11)

A Resolution extending appreciation to Dixie Electric and Bayou Electric for donations of goods and services at the Cajun Rvera Project site.

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

NAYS: David Ditch and Ricky J. Gonsoulin.

ABSENT: None.

And the motion to go into Public Hearing FAILED to be adopted this 23rd day of October, 2013.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4520 (Introduced by Zoning Commission)

An Ordinance approving the re-assembly of Lots 1 through 6 of Fox Run Subdivision into Lot 1R and further approving the abandonment of drainage easements within said Lots 1 through 6, which subdivision is located at the intersection of Fox Run Road and Admiral Doyle Drive in District 3.

A motion was made by Mr. Ricky J. Gonsoulin, seconded by Mr. David Ditch, the Iberia Parish Council does hereby adjourn.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

/s/ Diane B. Phillips
Clerk of the Council