

FEBRUARY 10, 2016

NEW IBERIA, LOUISIANA

IBERIA PARISH COUNCIL

The Parish Council of Iberia Parish, Louisiana met in Regular Session in the Parish Council Chambers, Main Courthouse Building, New Iberia, Louisiana, on Wednesday, February 10, 2016, at 6:00 p.m.

The following members were recorded PRESENT:

Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

ABSENT: None.

OTHERS IN ATTENDANCE: Assistant District Attorney Andy Shealy
Parish President M. Larry Richard
Chief Administrative Officer Scott Saunier
Director of Finance Kimberly Segura
Director of Human Resources Donna McDonald
Director of Permits, Planning, & Zoning John Raines
Purchasing Officer Michael Broussard
Executive Secretary Kelly Ball

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. Ricky J. Gonsoulin, its Chairman, who announced that the Council was now ready to conduct its business.

21063

Chairman Ricky Gonsoulin requested that the Council consider removing the December 23, 2015 minutes of a Regular Meeting from the table.

A motion was made by Mr. Paul G. Landry, seconded by Mr. Warren P. Gachassin, Jr., that the Iberia Parish Council does hereby remove the Regular Meeting of December 23, 2015 from the table.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion to remove these minutes from the table was declared adopted this 10th day of February, 2016.

A motion was made by Mr. Thomas J. Landry, seconded by Mr. Marty Trahan, that the minutes of a Regular Meeting of December 23, 2015 be forwarded to the February 24, 2016 Regular Meeting for approval.

This motion to schedule the minutes of the Regular Meeting of December 23, 2015 for approval at the February 24, 2016 meeting, having been submitted to a vote, the vote thereon was as follows:

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion to schedule the minutes of the Regular Meeting of December 23, 2015 for approval at the February 24, 2016 meeting was declared adopted this 10th day of February, 2016.

Council Clerk Brenda Bergeron stated that the approval of the minutes for the Regular Meeting of January 6, 2016 needs to be amended to a Special Meeting as this was a specially-called meeting and not a Regular Meeting.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Francis "Tommy" Pollard, Sr., that the minutes of the Special Meeting of January 6, 2016 be approved as submitted and published in the Official Journal.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr.,

Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of February, 2016.

A motion was made by Mr. Paul G. Landry, seconded by Mr. Thomas J. Landry, that the minutes of the Regular Meeting of January 12, 2016 be approved as submitted and published in the Official Journal.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of February, 2016.

PERSONS TO ADDRESS THE COUNCIL:

1. Mr. Michael Lopresto addressed the Council expressing his interest for appointment to the Acadiana Fairgrounds Commission.

REPORTS (FINANCE AND ADMINISTRATIVE ACTION):

None.

REPORTS (PARISH OR OTHER GOVERNMENTAL AGENCIES):

1. Administration to provide Monthly Status Report on all grant projects, all in accordance with Resolution No. 2012-217.

PUBLIC WORKS REPORTS:

2. Public Works Department Report for Closed Work Orders dated January 25-29, 2016.

SPECIAL BUSINESS:

None.

COUNCIL MEMBER ANNOUNCEMENTS

1. Vice Chairperson Natalie Broussard wished Chairman Ricky Gonsoulin a happy birthday.
2. Mr. Joseph E. Davis, Jr. reminded the Council of the Harlem Ambassadors' basketball game being hosted at Westgate High School and sponsored by the West End Council of Neighborhoods Association.
3. Chairman Ricky Gonsoulin requested that Council members let him read the items on the agenda before making motions in order that the recording equipment may record all motions and seconds.

21065

PARISH PRESIDENT ANNOUNCEMENTS

1. Parish President M. Larry Richard stated that he had met with the judges and others involved parties regarding the security issue and it was recommended that an expert be consulted for the security of the Main Court Building. President Richard also suggested that the Council authorize the Clerk's Building and the Front Entrance (security) as separate projects.

Upon questioning, Purchasing Agent Michael Broussard stated that the current bids could be rejected and it would take approximately 90 days to prepare the new specifications and necessary advertisements. Legal Counsel Andy Shealy stated that the Council should vote to reject the bids and authorize the bidding of the Clerk's building at this time and the Main Court Building Security at a later time. Chairman Ricky Gonsoulin stated that this item will be considered at the February 24th Council meeting.

2. Director of Planning, Permitting, and Zoning John Raines then presented the Council with a map showing the Tete Bayou area indicating the flood hazard areas after recent drainage work completed in the Tete Bayou area.

Mr. Raines stated that Fenstermaker and Associates had been contracted to do the work about a year ago, hearings were held in Iberia Parish to receive comments, and this information was submitted by the Parish to FEMA, which are the results show on the handout. The Parish now enters into a 90 day process, wherein the general public can review the map and ask questions pertaining to affected properties at the Planning, Permitting, and Zoning Office, which is located at 715-A Weldon Street. At the end of the 90 day period, comments will be reported to FEMA and the map will be finalized. Upon questioning, Mr. Raines stated that properties may be able to be taken out of the flood zone if a Letter of Map Amendment is approved by FEMA. Mr. Raines stated that a notice was published in today's paper providing information about the process.

3. President Richard stated that the Administration would be meeting tomorrow morning regarding updating of the Parish's website.

A motion was made by Mr. Paul G. Landry, seconded by Mr. Eugene A. Olivier, Sr., 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of February, 2016.

Mr. Chad Segura addressed the Council regarding Ordinance Summary No. 4752, which proposes to reclassify property on Van Brocklin Road. Mr. Segura stated that he has learned that this matter will be referred back to the Planning Commission and thanked the Council for considering this action.

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. Brian P. Napier, 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of February, 2016.

21067

A motion was made by Mr. Lloyd Brown, seconded by Mr. Warren Gachassin, Jr., that the following be adopted, as amended:

ORDINANCE NO. 2016-02-4744

AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF IBERIA PARISH, LOUISIANA, TO PROVIDE WITH RESPECT TO THE PERMITTING OF MOBILE FOOD ESTABLISHMENTS; TO PROVIDE FOR THE PERMITTING THEREOF; TO PROVIDE FOR PERMITTED ACTIVITIES; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO, AS AMENDED.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 10 of the Iberia Parish Compiled Ordinances is hereby amended to establish regulations for mobile food establishments as follows:

Sections 10-17 to 10-25. Reserved.

ARTICLE III - MOBILE FOOD ESTABLISHMENTS

Section 10-26. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Law enforcement officer means an employee of the Iberia Parish Sheriff's Office or Louisiana State Police whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants, and is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of the State of Louisiana.

Mobile food establishment means a food service establishment that is vehicle-mounted or wheeled and is capable of being readily moveable.

Permit means an official document issued by Iberia Parish Government authorizing the operation of a mobile food establishment, reflecting the full and correct name and address of the permit holder to whom the permit is issued, and reflecting the location and type of the permitted activity.

Permit holder means the person or entity to whom a permit is issued.

Permitted activity means the lawful operation of a mobile food establishment with a permit.

Sale, sell or selling means the lending or exchange of merchandise, including food and beverages, or services for money, and shall include the lending or exchange of merchandise, including food and beverages, for discretionary monetary donations.

Sidewalk means the paved pedestrian walkway adjacent to a roadway and constructed or maintained Iberia Parish Government, whether on public or private property.

Special events means organized special events or activities sponsored and/or produced by governmental or quasi-governmental organizations that are of general public interest and are open to public attendance, such as a bazar, carnival, exhibition or other similar gathering, which will operate for only a temporary period of time in any one location, including, but not limited to, Mardi Gras, Sugarcane Festival, Gumbo Cook-off, Spanish Festival and other such events.

Section 10-27. Exceptions.

None of the requirements of this chapter for permits shall apply to mobile food establishments that are incorporated into a special event by a special event organizer.

Permits issued for a mobile food establishment under the provisions of this article shall be temporarily suspended at locations designated for special events. Permit holders may, however, apply to continue their operation during the special event pursuant to the procedures set up by a special event organizer.

Section 10-28. Application Generally.

Application for a permit required by this chapter shall be made to the Chief Administrative Office of Iberia Parish Government.

The application shall be in such form as prescribed by the Chief Administrative Office of Iberia Parish Government. That form shall include, but not be limited to, the following information:

1. The full name, address, telephone number and tax identification number of the applicant.
2. The type of permitted activity.
3. If the applicant is a corporation, partnership, limited liability company, firm or other legal entity of any type other than a natural person, the names and addresses of all officers, partners, members, principals and/or registered agents.
4. The full name, address, telephone number and social security or tax identification number of all assistants, associates or employees who shall be employed by the applicant.

The applicant or permit holder must notify the Chief Administrative Officer of Iberia Parish Government within ten days of any change to the information provided in connection with any such application.

Section 10-29. Instruments to Accompany Application.

Before any permit shall be issued, the application must be accompanied by:

21069

1. A certified copy of the certificate of incorporation issued by the Louisiana Secretary of State if the applicant is incorporated under the laws of the State of Louisiana.
2. A certified copy of the certificate of organization issued by the Louisiana Secretary of State if the applicant is a limited liability company organized under the laws of the State of Louisiana.
3. A certified copy of the certificate of authority issued by the Louisiana Secretary of State if the applicant is a corporation incorporated, or a limited liability company organized, under the laws of a state other than Louisiana.
4. A certified copy of the certificate of registry if the applicant is a partnership.
5. Certificate(s) showing the applicant is registered with the Louisiana Department of Revenue and local tax collection agencies.
6. If the permitted activity is a mobile food establishment design drawings and specifications of the mobile food establishment.
7. Certificate(s) showing the applicant possesses a valid permit issued to him by the State Health Officer of the Department of Health and Hospitals, Office of Public Health.
8. If the permitted activity is a mobile food establishment, a written statement that the applicant has not been convicted of a felony under the laws of the United States, this state, or another state or country within five years prior to filing said application.

The applicant or permit holder must notify the Chief Administrative Officer within ten days of any change to the information provided under this section.

Section 10-30. Fees; Duration.

For each permit issued hereunder, the applicant shall pay a fee to Iberia Parish Government pursuant to the table below:

| | Application Fee | Permit Fee | Renewal Fee |
|---------------------------|-----------------|------------|-------------|
| Mobile Food Establishment | \$100.00 | \$200.00 | \$200.00 |

Permits issued hereunder shall be valid from January 1 through December 31 of the year in which they are issued. Permits issued after January 1 of any given year shall be valid only through December 31 of that year. The permit fee shall not be prorated. Application fees are nonrefundable.

Section 10-31. Liability and insurance.

There shall be no liability on the part of Iberia Parish Government or upon any of its officers, agents or employees for any damage sustained by the permit holder from any cause whatsoever.

Prior to the issuance of a permit, the applicant shall furnish the Chief Administrative Officer of Iberia Parish Government with a signed and notarized statement that the permit holder shall hold harmless Iberia Parish Government, and the officers, agents and employees of same and shall defend and indemnify Iberia Parish Government, and the officers, agents, and employees of same for any claims, including claims brought through or under the permit holder by way of subrogation, for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. This statement shall be in the form prescribed by counsel for Iberia Parish Government.

Each permit holder shall, at his own expense, maintain in full force and effect a general liability insurance policy with limits of not less than \$300,000.00 covering the permitted activity and public liability limits of not less than \$50,000.00 for property damage. The certificate of insurance shall be on file with the Chief Executive Officer of Iberia Parish Government and maintained current at all times, it shall name Iberia Parish Government as an additional insured and the policy shall include a rider providing that the policy will not be cancelled without 15 days written notice to Iberia Parish Government. In the event that the required insurance coverage is cancelled, materially changed or expires, the permit shall be immediately suspended as of the date of such cancellation, material change or expiration.

Section 10-32. Issuance.

The Chief Executive Officer of Iberia Parish Government shall issue a permit only if the application meets the guidelines and standards established herein and such applicant has fully complied with all of the provisions of this chapter and title 51, Part XXIII of the Louisiana Administrative Code, including the payment of all fees. An applicant for, or holder of, a permit issued hereunder who is aggrieved by a decision of the Chief Administrative Officer of Iberia Parish Government in denying an application for a permit may, within ten days of the notification of the decision, appeal to the Iberia Parish Council.

Section 10-33. Renewal.

A permit issued hereunder may be renewed without making a new application upon submitting a renewal application stating that all information provided on the initial application is still correct and the permit holder remains in compliance with all requirements of this Ordinance. The fee for the renewed permit shall be in accordance with the schedule in Section 5. There shall be no limit on the number of renewals, except that the renewal may be refused if the permit holder fails to comply with any provision of this chapter or the guidelines and standards promulgated herein.

Section 10-34. Display.

The permit issued hereunder shall be prominently displayed in a conspicuous place at or near the permitted activity and shall remain so displayed for so long as the permit holder engages in the permitted activity. The permit issued hereunder shall be produced and handed over immediately upon request to a law enforcement officer, the Iberia Parish Sales Tax Collector, representative of Iberia Parish Government, or its agent.

21071

Section 10-35. Transferability.

The permit holder is the only person authorized to use the permit issued hereunder. The permit issued hereunder shall not be transferable from the permit holder to another person. The permit issued hereunder shall not be leased or subleased to another person.

Section 10-36. Mobile Food Establishment Locations - Private Property.

Mobile food establishment are allowed to park on any private location provided they have written authorization from the property owner. Said written authorization shall be produced and handed over immediately upon request to a law enforcement officer, Iberia Parish Sales Tax Collector, representatives of Iberia Parish Government, or its agents.

Section 10-36.1. Mobile Food Establishment Locations - Public Property.

Mobile food establishments shall not park on public property or alongside any road, street or highway. If parked in a spot in front of any commercial location, the mobile food unit operator must provide the law enforcement office, Iberia Parish Sales Tax Collector, representative of Iberia Parish Government, or its agents, with written permission from said commercial property owner allowing the mobile food establishments unit to operate from said parking spot. Permit holders are subject to relocation when their designated location is deemed to cause a hazard to public safety, sight distance, or vehicular congestion or other concerns by law enforcement or Iberia Parish Government.

Section 10-37. No vested rights in license or permit.

Iberia Parish Government reserves the right to amend or repeal this chapter at any time, and no person shall have any vested rights to operate hereunder or to retain a permit or have a permit renewed. In the event the amendment or repeal of this Ordinance results in a permit being valid for less than its full term, the pro rata portion of the permit fee or renewal fee for the invalid portion of the term shall be refunded.

Section 10-38. Mobile food establishment.

All mobile food establishments and their operators shall meet the following requirements:

1. The mobile food establishment shall be covered with an appropriate material to prevent exposure of the food to wind, dust, insects and the elements. The mobile food unit operator shall comply with all state and local health and other applicable regulatory agency requirements, including, but not limited to, those contained in Title 51, Part XXIII of the Louisiana Administrative Code.
2. The mobile food establishment shall not impede, endanger or interfere with pedestrian or vehicular traffic.

3. The mobile food establishment shall not be stored, parked or left overnight on any public road, street or highway, or sidewalk or in any public parking space.
4. The mobile food establishment, and any item related to the operation thereof, shall not be attached, chained, or in any manner affixed to any tree, post, sign, parking meter or other fixtures, curb or sidewalk.
5. No item related to the operation of the mobile food establishment shall be placed on the road, street or highway, sidewalk, public place or anywhere other than in or on the mobile food establishment.
6. The mobile food establishment shall have attached to it a proper container for the collection of waste and trash. The mobile food establishment operator shall be responsible for the proper disposal of waste and trash associated with the mobile food establishment operation. No grease, waste, trash or other debris from the mobile food establishment operation shall be deposited on or released onto public property, which includes roads, streets or highways, sidewalks or other public place, nor into the gutter or storm drainage system, or any ditch, channel, canal, coulee or bayou. The mobile food establishment operator shall keep the immediate area in a ten (10') foot radius from the center of the mobile food establishment clean of garbage, trash, paper, cups, cans or litter associated with the mobile food establishment operation. Unless otherwise permitted by Iberia Parish Government, a mobile food establishment operator shall not locate a container for the collection of waste and trash on the roads, streets or highways, sidewalks or public places, nor use parish trash receptacles or other city waste disposal containers for the disposal of waste and trash associated with the mobile food establishment.
7. The mobile food establishment shall not have attached to it any bell, siren, horn, loudspeaker, flashing lights or any similar device to attract the attention of possible customers, nor shall the mobile food establishment operator use any such device to attract attention.
8. Mobile food establishment operators or employees thereof shall not consume or be under the influence of alcohol or controlled substances while operating the mobile food establishment.
9. The mobile food establishment shall be operated only after 7:00 a.m. and not past 2:30 a.m.
10. The mobile food establishment operator shall be in attendance at the mobile food unit at all times, except in case of an emergency.
11. The mobile food establishment operator shall comply with all federal, state and local rules, regulations and laws when operating the mobile food establishment.
12. The permit may be suspended by Iberia Parish when necessary to clear sidewalk areas for a special event. The notification of suspension shall list the date, time and estimated duration of such suspension.

21073

13. In the event of an emergency or in a situation where exigent circumstances arise, a mobile food establishment operator shall remove the mobile food establishment from the area when directed to do so by any law enforcement officer, fire official or emergency medical personnel.
14. Iberia Parish Government may require the temporary removal of mobile food establishment when road, highway, street, sidewalk, or utility maintenance or repairs necessitate such action.
15. The mobile food establishment shall be prohibited from selling alcoholic beverages.

SECTION 2. BE IT FURTHER ORDAINED that if any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid and enforceable judgment of any court of competent jurisdiction, such declaration or findings shall not affect any of the remaining Ordinance which can be given effect without the unconstitutional, unenforceable or invalid provisions of this Ordinance and to that end, the provisions of this Ordinance are hereby declared severable.

SECTION 3. BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict the provisions of this Ordinance are hereby repealed.

SECTION 4. That this Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Ordinance was declared adopted this 10th day of February, 2016.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Joel J. Dugas, that Ordinance Summary No. 4752, which is an Ordinance amending the Iberia Parish Zoning Ordinance to approve the reclassification request to reclassify Van Brocklin Road from Daspit Road to Division/Gondron Roads, for a depth of approximately six hundred (600) feet, from Agricultural (A-1) and Mixed Residential (R-2) to Single Family Residential (R-1) to stop the encroachment of mobile homes into the area, and all as reviewed and approved by the Iberia Parish Regional Planning Commission, be adopted.

A substitute motion was made by Ms. Natalie Broussard, seconded by Mr. Brian P. Napier, that Ordinance Summary No. 4752, which is an Ordinance amending the Iberia Parish Zoning Ordinance to approve the reclassification request to reclassify Van Brocklin Road from Daspit Road to Division/Gondron Roads, for a depth of approximately six hundred (600) feet, from Agricultural (A-1) and Mixed Residential (R-2) to Single Family Residential (R-1) to stop the encroachment of mobile homes into the area, and all as reviewed and approved by the Iberia Parish Regional Planning Commission, be moved back to the Iberia Parish Regional Planning Commission March 10th meeting, at this time.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 10th day of February, 2016.

21075

A motion was made by Mr. Chad Maturin, seconded by Mr. Eugene A. Olivier, Sr., that Ordinance Summary No. 4753, which is an Ordinance granting Preliminary Approval to Thibodeaux Mobile Home Park to include twenty (20) mobile home lots and an additional driveway for increased circulation, located in District 14, be adopted.

A substitute motion was made by Mr. Thomas J. Landry, seconded by Mr. Joseph E. Davis, Jr., that Ordinance Summary No. 4753, which is an Ordinance granting Preliminary Approval to Thibodeaux Mobile Home Park to include twenty (20) mobile home lots and an additional driveway for increased circulation, located in District 14, be tabled at this time.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., and Marty Trahan.

NAYS: Lloyd Brown and Chad Maturin.

ABSENT: None.

And the motion to table was declared adopted this 10th day of February, 2016.

A motion was made by Mr. Warren Gachassin, Jr., seconded by Mr. Eugene A. Olivier, Sr. , that the following be adopted:

ORDINANCE NO. 2016-02-4754

AN ORDINANCE AMENDING THE IBERIA PARISH ZONING ORDINANCE TO APPROVE THE RECLASSIFICATION REQUEST OF PROPERTY LOCATED AT 1111 ARMENCO ROAD FROM MIXED (R-2) TO GENERAL BUSINESS COMMERCIAL (C-2), LOCATED IN DISTRICT 5, AND ALL AS REVIEWED AND APPROVED BY THE IBERIA PARISH REGIONAL PLANNING COMMISSION.

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.

SECTION 2. That the Iberia Parish Zoning Commission conducted a Public Hearing on January 14, 2016 and recommended this reclassification request for property located at 1111 Armenco Road.

SECTION 3. That the Iberia Parish Council does hereby approve the reclassification request to reclassify property located at 1111 Armenco Road from Mixed (R-2) to General Business Commercial (C-2), District 5.

SECTION 4. That this Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Ordinance was declared adopted this 10th day of February, 2016.

21077

A motion was made by Ms. Natalie Broussard, seconded by Mr. Warren Gachassin, Jr., that Resolution Summary No. 28, which is a Resolution waiving all requirements of Section 2-33 of the Iberia Parish Compiled Ordinances relative to only the 2016 renewals of Property and Liability Insurance Policies and further authorizing the awarding of said contracts for Property and Liability Insurance with various agencies, all as recommended by the Parish Administration, be adopted.

A substitute motion was made by Ms. Natalie Broussard, seconded by Mr. Warren Gachassin, Jr., that the following be adopted as amended to include Commercial Crime, Inland Marine, Pollution Liability, TPA Service, and Safety and Training Policies:

RESOLUTION NO. 2016-28

A RESOLUTION WAIVING ALL REQUIREMENTS OF SECTION 2-33 OF THE IBERIA PARISH COMPILED ORDINANCES RELATIVE TO ONLY THE 2016 RENEWALS OF PROPERTY AND LIABILITY INSURANCE POLICIES AND FURTHER AUTHORIZING THE AWARDING OF SAID CONTRACTS FOR PROPERTY AND LIABILITY INSURANCE WITH VARIOUS AGENCIES, ALL AS RECOMMENDED BY THE PARISH ADMINISTRATION.

WHEREAS, Section 2-33 of the Iberia Parish Compiled Ordinances provides for Property and/or Liability Insurance Policy Procedures, including seeking proposals and competitive prices, the drawing of lots by agents for carrier selection, the holding of a meeting to select carriers, and opening and reviewing proposals by the Council, and review of same for recommendation by the Insurance Consultant; and

WHEREAS, the Parish President and Director of Personnel are requesting that the terms and provisions of this policy as established in Section 2-33 be waived for 2016 and further that all property and liability insurance policies be renewed as recommended.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the awarding of contracts for Property and Casualty Insurance with various agencies with premiums as stipulated:

| TYPE OF COVERAGE | PROVIDER | COST |
|------------------------------------------------|-------------------|-----------|
| Liability Package | Schwing Insurance | \$136,471 |
| Auto Physical Damage | Schwing Insurance | \$75,902 |
| Commercial Crime | Schwing Insurance | \$5,226 |
| Inland Marine (LED Signs @ SugArena & Tourist) | Schwing Insurance | \$2,464 |
| Equipment Floater | Dorsey Insurance | \$24,297 |
| Workers Compensation | Dorsey Insurance | \$354,379 |
| Pollution Liability | Regions | \$20,250 |

| | | |
|------------------------------------------------------------|-----------------------------------------|-----------|
| Property Insurance EDP Coverage Boiler and Machinery | Regions Insurance | \$195,803 |
| TPA Service GL/AL/WC/PO | LOCA | \$36,000 |
| Safety and Training | Advance Safety & Training Management | \$14,200 |

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute all necessary documents to facilitate 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21079

A motion was made by Mr. Joseph E. Davis, Jr., seconded by Mr. Francis "Tommy" Pollard, Sr., that the following be adopted:

RESOLUTION NO. 2016-29

A RESOLUTION AMENDING THE 2016 PUBLIC BUILDINGS MAINTENANCE FUND BUDGET IN THE AMOUNT OF \$66,667 TO PROVIDE LOCAL MATCHING FUNDS FOR A STATE OF LOUISIANA GRANT IN THE AMOUNT OF \$200,000, TO BE USED FOR THE ROBERT B. GREEN MEMORIAL BUILDING RENOVATION, UPGRADE, AND EXPANSION PROJECT, ALL TO BE FUNDED FROM THE FUND BALANCE-PREVIOUS YEARS LINE ITEM.

WHEREAS, there has been a request to amend the 2016 Public Buildings Maintenance Fund Budget in the amount of \$66,667 to provide local matching funds for a State of Louisiana grant in the amount of \$200,000, to be used for the Robert B. Green Memorial Building Renovation, Upgrade, and Expansion Project; and

WHEREAS, it is necessary to amend the 2016 Public Buildings Maintenance Fund Budget in order to facilitate funding for local matching funds.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2016 Public Buildings Maintenance Fund Budget in the amount of \$66,667 to provide local matching funds for a State of Louisiana grant in the amount of \$200,000 to be used for the Robert B. Green Memorial Building Renovation, Upgrade, and Expansion Project, as follows:

| <u>ACCOUNT NO.</u> | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>ADJUSTMENT</u> |
|-----------------------|----------------------|---------------|-------------------|
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs | \$1,695,724 | \$66,667 |
| 575000 5100 0025 0000 | Contract Payments | -0- | \$66,667 |

BE IT FURTHER RESOLVED, that this funding shall be funded from 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

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

RESOLUTION NO. 2016-30

A RESOLUTION AUTHORIZING THE PAYMENT OF \$700 PER MONTH FOR AN AUTO ALLOWANCE FOR THE PARISH PRESIDENT, ALL TO BE FUNDED FROM EXISTING FUNDING WITHIN THE 2016 GENERAL FUND BUDGET, EXECUTIVE BRANCH FUNCTION.

WHEREAS, Ordinance No. 2016-01-4746 adopted January 6, 2016, adopted the 2016 General Fund Budget of Revenues and Expenditure which included an auto allowance for the Parish President; and

WHEREAS, it is necessary to authorize a payment of \$700 per month for said allowance.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the payment of \$700 per month for an auto allowance for the Parish President, all to be funded from existing funding within the 2016 General Fund Budget, Executive Branch Function.

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.

A substitute motion was made by Mr. Warren Gachassin, Jr., to table Resolution Summary No. 30 at this time. Mr. Warren Gachassin, Jr., then withdrew his motion.

A substitute motion was made by Mr. Chad Maturin, seconded by Mr. Warren Gachassin, Jr., that Resolution Summary No. 30 be tabled until Administration provides a report regarding the Parish's budgets to the Council.

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

YEAS: Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Sr., Brian P. Napier, and Chad Maturin.

NAYS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Eugene A. Olivier, Berwick Francis, Jr., and Marty Trahan.

ABSENT: None.

And the substitute motion FAILED to be adopted this 10th day of February, 2016.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Eugene A. Olivier, Sr., Berwick Francis, Jr., and Marty Trahan.

21081

NAYS: Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Brian P. Napier, and Chad Maturin.

ABSENT: None.

And the Original Resolution FAILED to be adopted this 10th day of February, 2016.

A motion was made by Ms. Natalie Broussard, seconded by Mr. Eugene A. Olivier, Sr., that the following be adopted:

RESOLUTION NO. 2016-31

A RESOLUTION ACCEPTING WHATEVER RIGHTS THE STATE OF LOUISIANA MIGHT HAVE, WITH THE EXCEPTION OF ANY AND ALL MINERAL RIGHTS, IN AND TO THE BYPASSED PORTION OF LOUISIANA HIGHWAY 88 LOCATED IN IBERIA PARISH, LOUISIANA; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the State of Louisiana, through the Louisiana Department of Transportation and Development (sometimes hereinafter referred to as the "STATE") has agreed to realign a portion of Louisiana Highway 88 located in Iberia Parish, Louisiana (sometimes hereinafter referred to as the "PROJECT"); and

WHEREAS, the PROJECT will bypass approximately .90 miles of the current Louisiana Highway 88, the ownership, operation, and maintenance of which will be transferred to and assumed by Iberia Parish Government; and

NOW, THEREFORE, BE IT RESOLVED, that Iberia Parish Government agrees to accept the transfer of the ownership, operation, maintenance and future liability of that portion of Louisiana Highway 88 to be bypassed as a result of the realignment of said highway pursuant to and in accordance with S.P. No. H. 010922, which property is more particularly described as follows:

Beginning at its western connection with the realigned Louisiana Highway 88, located 0.09 miles west of Fremin Road, and traveling southerly the easterly approximately 0.90 miles to its connection with realigned Louisiana Highway 88, located 0.05 miles west of New Horizon Drive, all in Iberia Parish, Louisiana.

BE IT FURTHER RESOLVED, that the acceptance by Iberia Parish Government of the transfer, ownership, operation, maintenance and future liability of that portion of Louisiana Highway 88 bypassed as a result of the realignment of said highway shall be contingent upon and become effective with the completion of the realignment of Louisiana Highway 88 in accordance with the plans and specifications for such realignment prepared in connection with S.P. No. H. 010922.

BE IT FURTHER RESOLVED, that the President of Iberia Parish Government is hereby authorized to execute any and all documents necessary to complete the transfer from the STATE of that portion of Louisiana Highway 88 to be bypassed by the realignment of Louisiana Highway 88 as a result the completion of S.P. No. H. 010922.

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:

21083

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

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

RESOLUTION NO. 2016-32

A RESOLUTION AUTHORIZING THE PRESIDENT OF IBERIA PARISH GOVERNMENT TO EXECUTE ANY AND ALL SERVITUDES, RIGHTS OF WAY OR OTHER SIMILAR DOCUMENTS WHICH HE MIGHT DETERMINE TO BE NECESSARY AND PROPER RELATING TO PUBLIC WORKS PROJECTS FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING AND OPERATING ROADS, BRIDGES, DRAINAGE, WATER, SEWER AND OTHER UTILITIES; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, it is often necessary to obtain both temporary and permanent servitudes and rights-of-ways over private property relating to public works projects for the purpose of constructing, maintaining and operating roads, bridges, drainage, water, sewer and other utilities; and

WHEREAS, time is often of the essence in connection with such public works projects and the need to obtain servitudes and rights-of-ways is immediate; and

WHEREAS, quickly obtaining such servitudes and rights-of-ways is necessary for the efficient and timely completion of many public works projects; and

WHEREAS, obtaining approval by the Iberia Parish Council to execute servitudes and rights-of-ways in connection with public works projects delays the completion of such projects.

NOW, THEREFORE, BE IT RESOLVED, that the President of Iberia Parish Government is hereby authorized to execute any and all servitudes, rights-of-ways or documents containing such terms and conditions as he might, in his sole discretion, deem necessary and proper over private property relating to public works projects for the purpose of constructing, maintaining and operating roads, bridges, drainage, water, sewer and other utilities.

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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21085

A motion was made by Mr. Warren Gachassin, Jr., seconded by Mr. Marty Trahan, that Resolution Summary No. 33, which is a Resolution amending the 2016 Parishwide Drainage Maintenance Fund Budget in the amount of \$28,240 to provide funding for the removal of beavers due to widespread drainage issues, all to be funded from the Fund Balance-Previous Years line item, be adopted.

A substitute motion was made by Ms. Natalie Broussard, seconded by Mr. Marty Trahan, that Resolution Summary No. 33 be delayed and to proceed with the agenda until the Finance Director returns to the meeting and presents the fund balance of the 2016 Parishwide Drainage Maintenance Fund later in the Council meeting.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion to delay was declared adopted this 10th day of February, 2016.

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

RESOLUTION NO. 2016-34

A RESOLUTION AMENDING THE 2016 ROYALTY FUND BUDGET IN THE AMOUNT OF \$120,000 FOR THE RELOCATION OF WATER LINES IN CONNECTION WITH THE BULL ISLAND ROAD BRIDGE REPLACEMENT, ALL TO BE FUNDED FROM THE 2015 BOND PROCEEDS FUND BALANCE-PREVIOUS YEARS LINE ITEM.

WHEREAS, there has been a request to amend the 2016 Royalty Fund Budget in the amount of \$120,000 for the relocation of water lines in connection with the Bull Island Road Bridge replacement; and

WHEREAS, it is necessary to amend the 2016 Royalty Fund Budget in order to facilitate funding for the relocation of said water lines.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2016 Royalty Fund Budget in the amount of \$120,000 for the relocation of water lines in connection with the Bull Island Road Bridge replacement, as follows:

| <u>ACCOUNT NO.</u> | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>ADJUSTMENT</u> |
|-----------------------|----------------------|---------------|-------------------|
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs | \$9,589,037 | \$120,000 |
| 575000 3340 0000 3300 | Contract Payments | \$355,100 | \$120,000 |

BE IT FURTHER RESOLVED, that this funding shall be funded from 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21087

A motion was made by Mr. Warren Gachassin, Jr., seconded by Mr. Brian P. Napier, that the following be adopted:

RESOLUTION NO. 2016-35

A RESOLUTION ACCEPTING THE RESIGNATION OF MR. PAUL LANDRY AS A MEMBER OF THE IBERIA PARISH SEWERAGE DISTRICT NO. 1, EFFECTIVE DECEMBER 31, 2015.

WHEREAS, Mr. Paul Landry has tendered his resignation as a member of the Iberia Parish Sewerage District No. 1, effective December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accept the resignation of Mr. Paul Landry as a member of the Iberia Parish Sewerage District No. 1, effective December 31, 2015.

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

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

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

ABSTAIN: Paul G. Landry.

And the Resolution was declared adopted this 10th day of February, 2016.

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

RESOLUTION NO. 2016-36

A RESOLUTION DECLARING TWO VANS AS SURPLUS AND FURTHER AUTHORIZING DISPOSAL OF SAME IN ACCORDANCE WITH PARISH POLICY AND STATE LAW, AS REQUESTED BY THE ACADIANA FAIRGROUNDS COMMISSION.

WHEREAS, the Acadiana Fairgrounds Commission has requested that two vans be declared as surplus in order that they can dispose of said item in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby declare two vans from the Acadiana Fairgrounds as surplus and further authorizes the sale and/or the disposal of said item, as follows:

| <u>DESCRIPTION</u> | <u>REASON</u> |
|-----------------------------------|------------------|
| 1993 Van - Vin# 1FBJS31M0PHB54791 | No longer needed |
| 1996 Van - Vin# 1FMEE11H3THB46945 | No longer needed |

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

BE IT FINALLY RESOLVED, that this Resolution shall become 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21089

A motion was made by Mr. Thomas J. Landry, seconded by Mr. Francis "Tommy" Pollard, Sr., that the following be adopted:

RESOLUTION NO. 2016-37

A RESOLUTION AUTHORIZING AND APPROVING 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 ONE (1) 2016 VOLVO L60H WHEEL LOADER FOR THE PUBLIC WORKS DEPARTMENT.

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 (one (1) 2016 Volvo L60H Wheel Loader) 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 one (1) 2016 Volvo L60H Wheel Loader for the Public Works Department.

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, M. Larry Richard, (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 2016.
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.

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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21091

A motion was made by Mr. Lloyd Brown, seconded by Mr. Joseph E. Davis, Jr., that the following be adopted:

RESOLUTION NO. 2016-38

A RESOLUTION AUTHORIZING AND APPROVING 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 ONE (1) 2016 JOHN DEERE 611D TRACTOR, WITH ONE (1) TIGER BB-22 BOOM MOWER FOR THE PUBLIC WORKS DEPARTMENT.

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 (one (1) 2016 John Deere 611D Tractor, with one (1) Tiger BB-22 Boom Mower) 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 one (1) 2016 John Deere 611D Tractor, with one (1) Tiger BB-22 Boom Mower for the Public Works Department.

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, M. Larry Richard, (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 2016.
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.

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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21093

A motion was made by Mr. Brian P. Napier, seconded by Ms. Natalie Broussard, that Resolution Summary No. 39, which is a Resolution of condolences to the family of Ms. Marjorie Landry LeJeune, mother of Administrative Secretary Laura L. Bentley, who passed away on February 4, 2016, be deleted from the agenda.

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

YEAS: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the motion to delete was declared adopted this 10th day of February, 2016.

Director of Finance Kimberly Segura returned to the meeting and reported an estimated fund balance of \$3.1 million after the inclusion of this funding of \$28,240.

A motion was made by Mr. Marty Trahan, seconded by Mr. Joseph E. Davis, Jr., that the following be adopted:

RESOLUTION NO. 2016-33

A RESOLUTION AMENDING THE 2016 PARISHWIDE DRAINAGE MAINTENANCE FUND BUDGET IN THE AMOUNT OF \$28,240 TO PROVIDE FUNDING FOR THE REMOVAL OF BEAVERS DUE TO WIDESPREAD DRAINAGE ISSUES, ALL TO BE FUNDED FROM THE FUND BALANCE-PREVIOUS YEARS LINE ITEM.

WHEREAS, there has been a request to amend the 2016 Parishwide Drainage Maintenance Fund Budget in the amount of \$28,240 to provide funding for the removal of beavers due to widespread drainage issues; and

WHEREAS, it is necessary to amend the 2016 Parishwide Drainage Maintenance Budget in order to facilitate funding for the removal of beavers.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2016 Parishwide Drainage Maintenance Fund Budget in the amount of \$28,240 to provide funding for the removal of beavers due to widespread drainage issues, as follows:

| <u>ACCOUNT NO.</u> | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>ADJUSTMENT</u> |
|-----------------------|----------------------|---------------|-------------------|
| 499000 0000 0000 0000 | Fund Bal-Prev Yrs | \$1,174,134 | \$28,240 |
| 542000 3200 0000 0000 | Contract For Svcs | \$100,000 | \$28,240 |

BE IT FURTHER RESOLVED, that this funding shall be funded from 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: Francis "Tommy" Pollard, Sr., Joseph E. Davis, Jr., Thomas J. Landry, Lloyd Brown, Warren P. Gachassin, Jr., Natalie Broussard, Paul G. Landry, Ricky J. Gonsoulin, Joel J. Dugas, Eugene A. Olivier, Sr., Brian P. Napier, Berwick Francis, Jr., Marty Trahan, and Chad Maturin.

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 10th day of February, 2016.

21095

ORDINANCES INTRODUCED FOR PUBLICATION:

None.

A motion was made by Ms. Natalie Broussard, seconded by Mr. Warren P. Gachassin, Jr., that the Iberia Parish Council does hereby adjourn. Chairman Ricky J. Gonsoulin declared the meeting adjourned at 8:01 p.m.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

Clerk of the Council