

JUNE 24, 2009  
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, June 24, 2009.

The following members were recorded PRESENT:

Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

OTHERS IN ATTENDANCE: Ernest Freyou, Parish President  
Sally Angers, Chief Administrative Officer  
Eric Duplantis, Asst. District Attorney  
J. Wayne Landry, Asst. District Attorney  
Kevin Hagerich, Public Works Director  
Kimberly Segura, Finance Director  
Donna McDonald, Human Resources Director  
John Raines, Planning, Zoning & Permitting

The Parish Council of the Parish of Iberia, State of Louisiana, was duly convened as the Governing Authority of the Parish of Iberia by Mr. Roger Duncan, its Chairman, who announced that the Council was now ready to conduct its business.

PERSONS TO ADDRESS THE COUNCIL:

1. Sheriff Louis Ackal and Mr. Steve Ellege addressed the Council regarding the Jail Contract with the Law Enforcement District. Various information was presented to the Council regarding the cost to the Sheriff for the operations of the Jail. The Sheriff reported that he is estimating that his cost for operations of the facility is approximately \$1.014 million, while the Parish's contract allows a total annual payment of approximately \$800,000. He requested that the Council consider financial assistance to the Sheriff in order to make this contract viable for his department to continue the jail operations. A large volume of information was presented and it was the general consensus of the Council that a Jail Ad Hoc Committee be formed to work with the Sheriff's office to determine what, if any, emergency funding should be made available, in addition to the possible renegotiation of the contract with the Parish being considered by said Committee. It was directed that this be scheduled as an agenda item for the next Council meeting.
2. Persons filing applications of interest for appointment to various boards and commissions, which appointments are to be considered for final adoption at the next meeting to be held on July 8, 2009. No persons were present to address the Council.
3. Mr. Troy Courville and representatives of Kolder, Champagne, Slaven and Company, were scheduled to address the Council to present the financial audit for fiscal year ending December 31, 2008, but this item was delayed until the next regular Council meeting.
4. Mr. Frank Barber, attorney representing Word of Faith Church, addressed the Council regarding enforcement of the nuisance regulations. Mr. Barber advised that the Parish

continues to enforce its nuisance ordinance on property located in the same subdivision as the Church, which property houses a trucking company, and the owners have continued to correct all violations within the allotted time period, but then return to the nuisance situation shortly following completion of the enforcement process. Mr. Barber requested that the Parish consider more stringent regulations and more stringent enforcement of these regulations. It was noted that this property is located within a commercial subdivision. Several Council members expressed concern with the enforcement of the nuisance ordinance and continued complaints regarding nuisances and therefore, various suggestions were made for possible amendment to the ordinance. It was suggested that these possibilities be forwarded to the District Attorney's Office to work with the Administration in providing recommendations to the Council at a future meeting for possible amendment to the Nuisance Ordinance.

REPORTS (FINANCE AND ADMINISTRATIVE ACTION):

1. Proposal tabulation form for Janitorial Services opened on May 15, 2009. Several questions were raised by Council members regarding janitorial services and the Request for Proposals process. It was noted that the Administration is recommending the second lowest proposal price received for award of this contract and this will be considered as Resolution Summary No. 170 later during this meeting.
2. Bid tabulation for Iberia Parish Road Project No. 2009-01, Phase I, Area C. The bids were reviewed.

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 as a Public Hearing in order to consider public input regarding Resolutions being considered for final adoption.

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

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

And the motion was declared adopted this 24th day of June, 2009.

Comments were received from various persons from the realty industry, including Bart Broussard, Joanie Kraker and Assistant District Attorney J. Wayne Landry regarding Ordinance Summary No. 4122, which is a proposed ordinance amending Section 22-4 of the Iberia Parish Subdivision Ordinance. Questions were responded to and all seemed satisfied with the draft as presented.

Upon requesting and hearing no further comments regarding the proposed Ordinances or Resolutions being considered for final adoption, the Chairman requested a motion to adjourn the Public Hearing and to reconvene the Regular Session.

A motion was made by Mr. Bernard E. Broussard, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby adjourn the Public Hearing and reconvene the Regular Session.

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

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

And the motion was declared adopted this 24th day of June, 2009.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. M. Larry Richard, that the following be adopted:

ORDINANCE NO. 2009-06-4103

AN ORDINANCE AMENDING SECTION 2-19.1 OF THE IBERIA PARISH COMPILED ORDINANCES TO REVISE THE POLICY REQUIRING COUNCIL APPROVAL FOR ALL CONTRACTS WHICH PROVIDE FOR GROUP HEALTH INSURANCE BENEFITS FOR PARISH EMPLOYEES.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance No. 2008-08-4037, dated August 27, 2008, established Section 2-19.1 of the Iberia Parish Compiled Ordinances, entitled "Contracts - Group Health Insurance", which policy requires Council approval of the annual policy for Group Health Insurance benefits for Parish employees.

SECTION 2. That Section 2-19.1 of the Iberia Parish Compiled Ordinances is hereby amended to clarify the schedule for submission of items to the Council for approval, as follows:

Section 2-19.1. Contracts - Group Health Insurance.

Prior to the execution of any annual contracts for the provision of group health insurance benefits for employees of Iberia Parish Government, and any of its agencies, departments, special districts, etc., the Iberia Parish Council shall approve the terms of said contract(s) and authorize the execution of same, by Resolution. The Council shall further authorize any budget adjustments necessary for said contract provisions. It shall be required that the Parish President shall submit all necessary information to the Council for its review and approval no later than two (2) regular Council meetings prior to the expiration of the current term of said policy.

It is further recommended that the Parish President establish an Employee Health Insurance Advisory Committee, with the mission of said Advisory Committee being to assist with the annual selection of group health insurance benefits for Parish employees.

SECTION 3. That this Ordinance has been reviewed and approved by the District Attorney's Office.

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

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin and Charles Williams.

And the Ordinance was declared adopted this 24th day of June, 2009.

The Chairman requested that the Council move to Ordinance Summary No. 4122, regarding the subdivision ordinance, due to the number of persons in the audience for this item. The Council agreed by general consensus.

A motion was made by Mr. M. Larry Richard, seconded by Mr. John Berard, that the following be adopted:

ORDINANCE NO. 2009-06-4122

AN ORDINANCE AMENDING CHAPTER 22, SECTION 22-4 OF THE IBERIA PARISH COMPILED ORDINANCES TO REVISE THE PENALTY SECTION OF THE SUBDIVISION REGULATIONS TO ALLOW THAT AN OFFER OR AGREEMENT TO PURCHASE A SPECIFIED PARCEL OF LAND DESIGNATED BY LOT AND BLOCK BY REFERENCE TO A PROPOSED PLAT OF SUBDIVISION TO BE PRESENTED FOR FINAL APPROVAL SHALL NOT BE DEEMED A VIOLATION OF THIS SECTION; HOWEVER, IN NO EVENT, SHALL A PLAT OR PARTIAL PLAT OF SURVEY OF THE PROPOSED SUBDIVISION BE ATTACHED TO SAID INSTRUMENT TO BE RECORDED UNLESS THE SAME CONTAINS THE STAMP OF FINAL APPROVAL BY THE PARISH GOVERNING AUTHORITY.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 22, Section 22-4 of the Iberia Parish Compiled Ordinances is hereby amended to revise the penalty section of the Iberia Parish Subdivision Regulations, as follows:

Section 22-4. Penalties.

- A. It shall be the duty of the Planning Commission to enforce these regulations and to bring to the attention of the Iberia Parish Government any violations or lack of compliance herewith.
- B. (1) No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plat of such subdivision has been approved by the Planning Commission, in accordance with the provisions of these regulations, and filed with the Parish Clerk of Court.  
  
(2) An offer or agreement to purchase a specified parcel of land designated by lot and block by reference to a proposed plat of subdivision to be presented for final approval shall not be deemed a violation of this section. However, in no event, shall a plat or partial plat of survey of the proposed subdivision be attached to said instrument to be recorded unless the same contains the stamp of final approval by the parish governing authority.
- C. The subdivision of any lot or any parcel of land, by use of the metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations shall not be permitted. All such described subdivisions shall be subject to all of the requirements contained in these regulations.
- D. No development permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
- E. Nothing in this section shall prohibit the advertisement for sale of lots in a proposed subdivision by reference to any schematic design of the development. However, any instrument of "offer to sell" or "buy-sell agreement" presented for recordation to the Clerk of Court must meet the conditions as set forth above.
- F. Any person, firm, or corporation who fails to comply with, or violates any of these regulations shall be subject to penalty pursuant to the provisions of Section 33:114 of the Revised Statutes of the State of Louisiana.

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

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin and Charles Williams.

And the Ordinance was declared adopted this 24th day of June, 2009.

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

ORDINANCE NO. 2009-06-4104

AN ORDINANCE AMENDING SECTION 2-33 OF THE IBERIA PARISH COMPILED ORDINANCES TO REVISE THE LIABILITY INSURANCE POLICY PROCEDURES TO REVISE THE SCHEDULE FOR SUBMISSION OF ITEMS TO THE COUNCIL, ALL CONTINGENT UPON REVIEW AND APPROVAL BY THE DISTRICT ATTORNEY'S OFFICE.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Ordinance No. 2006-05-3791, dated May 24, 2006, established Section 2-33 of the Iberia Parish Compiled Ordinances, entitled "Liability Insurance Policy Procedures", which established a policy requiring Council approval for all liability insurance coverage.

SECTION 2. That Section 2-33 of the Iberia Parish Compiled Ordinances is hereby amended to revise and clarify the schedule for submission of items for Council approval, as follows:

SECTION 2-33. Liability Insurance Policy Procedures.

The Iberia Parish Government shall seek proposals and competitive prices for all Liability Insurance Coverage for all departments and/or agencies of Iberia Parish Government. Said renewal information shall be presented to the Iberia Parish Council at least two (2) regular Council meetings prior to the expiration of said coverage for their consideration and direction. No liability insurance policy shall be extended or renewed without the express written consent and authorization of the Iberia Parish Council. The Iberia Parish President, or his designee, shall notify all necessary Parish personnel of this procedure. (Ord. of 05-24-06)

The Parish President shall advise the Council of the scheduled date for receipt and opening of Requests for Proposals for this purpose and any Council member will be allowed to be in attendance during said process.

SECTION 3. That this Ordinance has been reviewed by the District Attorney's Office.

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

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Ordinance was declared adopted this 24th day of June, 2009.

A motion was made by Mr. M. Larry Richard, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby adopt Ordinance Summary No. 4120, which is an Ordinance to establish a three-way stop at the intersection of Melancon Road and a private drive at Tri-Drill, contingent upon review and approval by the District Attorney's Office.

Upon discussion, Assistant District Attorney Eric Duplantis advised that it would be legal to establish a three way stop at an intersection of public and private roads as long as stop signs would be installed within Parish right-of-way.

During the discussion of this item, the Council was advised by the Public Works Director that this Ordinance had been proposed prior to the Council's adoption of the Uniform Sign Manual; therefore, it was suggested that this item be tabled until the next meeting so that the recommended signage can be reviewed.

A motion was made by Mr. John Berard, seconded by Mr. Thomas J. Landry, that the Iberia Parish Council does hereby table action regarding Ordinance Summary No. 4120, regarding the three way stop at the above intersection, until said proposal has been reviewed by the Public Works Department.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the motion to table was declared adopted this 24th day of June, 2009.

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

ORDINANCE NO. 2009-06-4121

AN ORDINANCE AMENDING ORDINANCE NO. 2008-08-4032, DATED AUGUST 15, 2008, TO REVISE THE COMPOSITION OF THE WATER WORKS DISTRICT NO. 3 COMMISSION FROM A SEVEN MEMBER TO A SIX MEMBER BOARD, EFFECTIVE IMMEDIATELY.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

- SECTION 1. That Ordinance No. 2008-08-4032, dated August 15, 2008, established the Water Works District No. 3 of Iberia Parish and established a seven member Board of Waterworks Commission all to be appointed by the Iberia Parish Council.
- SECTION 2. That due to a recent resignation of one of the members of the Commission, a request has been made by the Commission to consider a reduction in the membership of said Commission from seven to six members, with the intention of possibly reducing the Commission to five members at some point in the future.
- SECTION 3. That Ordinance No. 2008-08-4032 is hereby amended to revise the composition of the Board of Commissioners of the Water Works District No. 3 from seven (7) to six (6) members, effective immediately.
- SECTION 4. That this Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Ordinance was declared adopted this 24th day of June, 2009.

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

ORDINANCE NO. 2009-06-4123

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE VII, DIVISION 1, OF THE IBERIA PARISH COMPILED ORDINANCES AUTHORIZING THE COLLECTION OF A FRANCHISE FEE OF THREE PERCENT (3%) OF GROSS SUBSCRIBER REVENUES FROM BASIC CABLE SERVICE FOR COX COMMUNICATIONS (FORMERLY TELECABLE) IN ACCORDANCE WITH CHAPTER 10-A OF THE LA.

REVISED STATUTES 45:1361 ET SEQ., ALL CONTINGENT UPON  
REVIEW AND APPROVAL BY THE DISTRICT ATTORNEY'S OFFICE.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Iberia Parish Government currently has a franchise agreement with Cox Communications (formerly Telecable Associates, Inc.) which agreement includes the levy of a franchise fee of three percent of gross subscriber revenues from basic cable service.

SECTION 2. That the adoption of La. Revised Statutes 45:1361 et seq. provide that the State shall issue and oversee the franchise agreements with cable television providers, which law also requires ratification by the local governing authority of any existing franchise fee for said services.

SECTION 3. Pursuant to the provisions of the Consumer Choice for Television Act of 2008 (La.R.S. 45:1361 et seq, any person or entity desiring to provide cable or video services within the Parish of Iberia may do so by obtaining a State-issued certificate of franchise authority.

SECTION 4. Pursuant to the provisions of this law, the holder of the State-issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a local governing authority in which it operates upon the passage of an ordinance by the authority setting such a fee.

SECTION 5. That Chapter 11, Article VII, Division 1 of the Iberia Parish Compiled Ordinances is hereby amended to include the following:

The Iberia Parish Council does hereby ordain that Cox Communications (formerly Telecable Associates, Inc.) will provide cable or video services to the citizens of Iberia Parish, pursuant to a State-issued certificate of franchise authority as provided in LSA-R.S. 45:1361 et seq shall collect a franchise fee equal to three percent (3%) of the cable or video service provider's gross revenues, as that term is defined by the "Consumer Choice for Television Act of 2008", derived from operations within the jurisdictional limits of the Parish of Iberia.

SECTION 6. That all Ordinances and Resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Iberia Parish Government and any cable or video service provider.

SECTION 7. 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.

A motion was made by Mr. Troy Comeaux, that the Iberia Parish Council does hereby call for the question on the motion on the floor.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams, M. Larry Richard and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the motion to call the question was declared adopted this 24th day of June, 2009.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams, M. Larry Richard and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Ordinance was declared adopted this 24th day of June, 2009.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Lloyd Brown, that the following be adopted:

ORDINANCE NO. 2009-06-4124

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE VII, DIVISION 3, OF THE IBERIA PARISH COMPILED ORDINANCES AUTHORIZING THE COLLECTION OF A FRANCHISE FEE OF TWO PERCENT (2%) OF BASIC MONTHLY SERVICE CHARGES FOR SUDDENLINK CABLE COMPANY (FORMERLY HRS COMMUNITY ANTENNA SERVICE, INC.) IN ACCORDANCE WITH CHAPTER 10-A OF THE LOUISIANA REVISED STATUTES 45:1361 ET SEQ., ALL CONTINGENT UPON REVIEW AND APPROVAL OF THE DISTRICT ATTORNEY'S OFFICE.

THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Iberia Parish Government currently has a franchise agreement with Suddenlink Cable Company (formerly HRS Community Antenna Service, Inc.) which agreement includes the levy of a franchise fee of two percent of gross subscriber revenues from basic cable service.

SECTION 2. That the adoption of La. Revised Statutes 45:1361 et seq. provide that the State shall issue and oversee the franchise agreements with cable television providers, which law also requires ratification by the local governing authority of any existing franchise fee for said services.

SECTION 3. Pursuant to the provisions of the Consumer Choice for Television Act of 2008 (La.R.S. 45:1361 et seq, any person or entity desiring to provide cable or video services within the Parish of Iberia may do so by obtaining a State-issued certificate of franchise authority.

SECTION 4. Pursuant to the provisions of this law, the holder of the State-issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a local governing authority in which it operates upon the passage of an ordinance by the authority setting such a fee.

SECTION 5. That Chapter 11, Article VII, Division 3 of the Iberia Parish Compiled Ordinances is hereby amended to include the following:

The Iberia Parish Council does hereby ordain that Suddenlink Cable Company (formerly HRS Community Antenna Service, Inc.) will provide cable or video services to the citizens of Iberia Parish, pursuant to a State-issued certificate of franchise authority as provided in LSA-R.S. 45:1361 et seq shall collect a franchise fee equal to two percent (2%) of the cable or video service provider's gross revenues, as that term is defined by the "Consumer Choice for Television Act of 2008", derived from operations within the jurisdictional limits of the Parish of Iberia.

SECTION 6. That all Ordinances and Resolutions in conflict herewith are hereby repealed, except those approving any cable or video franchise agreement in force and effect between the Iberia Parish Government and any cable or video service provider.

SECTION 7. 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.

A substitute motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that the Iberia Parish Council does hereby adopt Ordinance Summary No. 4124, which ratifies and increases the franchise fee for Suddenlink Cable Company at three percent (3%) of basic monthly cable services. Upon discussion and information provided by the Parish President, the substitute motion was withdrawn from the floor.

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

YEAS: Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams, M. Larry Richard and Naray Hulin.

NAYS: Maggie F. Daniels.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Ordinance was declared adopted this 24th day of June, 2009.

A motion was made by Mr. John Berard, seconded by Ms. Maggie F. Daniels, that the Iberia Parish Council does hereby delete Ordinance Summary No. 4125, which is an Ordinance ratifying the franchise fee for Torrence Cable Company, as said company is now out of business and no longer operating within Iberia Parish.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the motion to delete was declared adopted this 24th day of June, 2009.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Bernard E. Broussard, that the following be adopted:

RESOLUTION NO. 2009-165

A RESOLUTION AUTHORIZING THE RENEWAL OF A CONTRACT WITH THE DAILY IBERIAN FOR THE PUBLICATION OF CLASSIFIED ADVERTISEMENTS FOR THE PERIOD OF JULY 1, 2009 THROUGH JUNE 30, 2010.

WHEREAS, the Iberia Parish Government contracts annually with The Daily Iberian for the publication of classified advertisements, which publications are currently at a rate of \$8.34 per column inch and which contract expires on June 30, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the renewal of a contract with The Daily Iberian for the publication of classified advertisements at a rate of \$9.38 per column inch based on 1,033 or more classified equivalent inches for a period of July 1, 2009 through June 30, 2010.

BE IT FURTHER RESOLVED, that the Parish President is hereby authorized to execute said contract.

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, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution was declared adopted this 24th day of June, 2009.

A motion was made by Mr. Glenn Romero, seconded by Mr. Charles Williams, that the Iberia Parish Council does hereby table action regarding Resolution Summary No. 166, which is a Resolution accepting the financial audit for fiscal year ending December 31, 2008, until the next regular meeting of the Council to be held on Wednesday, July 1, 2009.

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the motion to table was declared adopted this 24th day of June, 2009.

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

RESOLUTION NO. 2009-167

A RESOLUTION AUTHORIZING A TOTAL APPROPRIATION OF \$20,000 TO FUND SECURITY CAMERAS, ALL TO BE FUNDED FROM THE 2009 SOLID WASTE SALES TAX FUND BUDGET AND 2009 PARISHWIDE DRAINAGE FUND BUDGET, FUND BALANCE - PREVIOUS YEARS, AT A COST OF \$10,000 EACH.

WHEREAS, it is being suggested that security cameras be purchased for use at the Parish Maintenance Barn and at various other locations, which cameras are to be used to assist the enforcement litter and debris dumping regulations; and

WHEREAS, a total of five security cameras will be established at the Parish Maintenance Barn to assist with security of the facility and one mobile camera will be set up at various areas to assist with litter and debris dumping regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2009 budgets to include a total appropriation of \$20,000 to fund the purchase of two security cameras, all to be funded in equal parts by the Solid Waste Sales Tax Fund Budget and the Parishwide Drainage Maintenance Fund Budget, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>ADJUSTMENT</u>
<u>Parishwide Drainage Maintenance Fund:</u>		
499000 0000 0000 0000	Fund Bal-Prev Yrs	+\$ 10,000
574100 3200 0000 0000	Furniture & Eqpmt	+\$ 9,000
551000 3200 0000 0000	Maintenance Contracts	+\$ 1,000
<u>Solid Waste Sales Tax Fund:</u>		
499000 0000 0000 0000	Fund Bal-Prev Yrs	+\$ 10,000
551000 3440 0020 0000	Maintenance Contracts	+\$ 1,000
574100 3440 0020 0000	Furniture & Eqpmt	+\$ 9,000

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, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution was declared adopted this 24th day of June, 2009.

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

RESOLUTION NO. 2009-168

A RESOLUTION AMENDING THE 2009 GENERAL FUND BUDGET FOR VARIOUS ADJUSTMENTS TO REVENUES AND EXPENDITURES, INCLUDING AMENDMENTS TO THE HOMELAND SECURITY GRANT PROGRAMS.

WHEREAS, there is a need to amend the 2009 General Fund Budget for various adjustments, including amendments to the various Homeland Security Grant Programs.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2009 General Fund Budget, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
REVENUES:			
431000 2911 0000 1001	Homeland Sec.-SHSP2005	\$60,706 +	\$60,706
431000 2911 0000 1003	Homeland Sec.-SHSP2006	\$66,025 +	\$66,025
431000 2911 0000 1004	Region 4 Phase II	\$85,087 +	\$85,087
431000 2911 0000 1005	Homeland Sec.-SHSP2007	\$132,987 +	\$132,987
431000 2911 0000 1018	Homeland Sec.-CERT2006	\$9,774 +	\$9,774
431000 2911 0000 1019	S/W Generator Program	\$419,525 +	\$419,525
431000 2911 0000 1021	PSIC FY 2007	\$96,532 +	\$96,532
431000 2911 0000 1022	Interoperable CMCNS		
	FY 2008	\$12,394 +	\$12,394
	Fund Balance-Prev.Yrs.	124,218. +	\$32,221
HOMELAND SECURITY-SHSP 2005:			
512000 2911 0000 1001	Personal Services-PT	\$8,963 +	\$8,963
515000 2911 0000 1001	Auto Allowance	\$171 +	\$171
521000 2911 0000 1001	Group Insurance	\$307 +	\$307
522000 2911 0000 1001	Employers FICA	\$271 +	\$271
522100 2911 0000 1001	Medicare	\$65 +	\$65
526000 2911 0000 1001	Workers Compensation	\$20 +	\$20
533000 2911 0000 1001	Professional Fees	\$10,007 +	\$10,007
558000 2911 0000 1001	Training	\$71 +	\$71
561000 2911 0000 1001	Office Supplies	\$1,000 +	\$1,000
574100 2911 0000 1001	Furniture & Equipment	\$39,831 +	\$39,831
HOMELAND SECURITY-SHSP 2006:			
512000 2911 0000 1003	Personal Services-PT	\$8,044 +	\$8,044
522000 2911 0000 1003	Employers FICA	\$32 +	\$32
522100 2911 0000 1003	Medicare	\$8 +	\$8
526000 2911 0000 1003	Workers Compensation	\$7 +	\$7
558000 2911 0000 1003	Training	\$1,200 +	\$1,200
561000 2911 0000 1003	Office Supplies	\$500 +	\$500
574100 2911 0000 1003	Furniture & Equipment	\$26,233 +	\$26,233
574200 2911 0000 1003	Donated Equipment	\$30,000 +	\$30,000
REGION 4 PHASE II:			
574100 2911 0000 1004	Furniture & Equipment	\$23,000 +	\$23,000
574200 2911 0000 1004	Donated Equipment	\$62,087 +	\$62,087
HOMELAND SECURITY - SHSP 2007:			
512000 2911 0000 1005	Personal Services-PT	\$1,820 +	\$1,820
522000 2911 0000 1005	Social Security	\$123 +	\$123
522100 2911 0000 1005	Medicare	\$29 +	\$29
526000 2911 0000 1005	Workers Compensation	\$9 +	\$9
574100 2911 0000 1005	Furniture & Equipment	\$45,000 +	\$45,000
574200 2911 0000 1005	Donated Equipment	\$86,006 +	\$86,006
HOMELAND SECURITY-CERT 2006:			
561000 2911 0000 1018	Office Supplies	\$491 +	\$491
561900 2911 0000 1018	Other Supplies	\$5,283 +	\$5,283
574100 2911 0000 1018	Furniture & Equipment	\$4,000 +	\$4,000
STATEWIDE GENERATOR PROGRAM:			
574100 2911 0000 1019	Furniture & Equipment	\$419,515 +	\$519,515
PSIC FY 2007:			
574100 2911 0000 1021	Furniture & Equipment	\$5,234 +	\$5,234
574200 2911 0000 1021	Donated Equipment	\$91,298 +	\$91,298
INTEROPERABLE CMCNS FY 2008:			
533000 2911 0000 1022	Professional Fees	\$6,394 +	\$6,394
542000 2911 0000 1022	Contract for Services	\$6,000 +	\$6,000

HAZARD MITIGATION - HOUSE ELEVATION:

511000	2911	0000	1024	Personal Services	-0- +	\$13,239
533100	2911	0000	1024	Arch/Engineer Fees	-0- +	\$81,667
575000	2911	0000	1024	Contract Payments	-0- -	\$94,906
554000	6420	0000	0000	Adv. Dues Subs	\$16,114 +	\$22,000
574100	1510	0000	0000	Furniture & Equipment	\$10,221 +	\$10,221

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, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution was declared adopted this 24th day of June, 2009.

A motion was made by Mr. M. Larry Richard, unanimously seconded by Ms. Maggie F. Daniels and Messrs. Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan and Charles Williams, that the following be adopted:

RESOLUTION NO. 2009-169

A RESOLUTION EXPRESSING CONDOLENCES TO THE FAMILY OF MR. SHIRLEY J. LANDRY, FATHER OF COUNCILMAN THOMAS J. LANDRY, WHO PASSED AWAY ON JUNE 11, 2009.

WHEREAS, it is with profound sorrow that the Iberia Parish Council does hereby acknowledge the recent passing of Mr. Shirley J. Landry, father of Iberia Parish Councilman Thomas J. Landry, who passed away on June 11, 2009; and

WHEREAS, Mr. Landry was a loving son, husband, father, grandfather and friend to many individuals; and

WHEREAS, Mr. Landry was a veteran of the United States Navy for six years, serving his country during World War II in the South Pacific; and

WHEREAS, Mr. Landry retired from South Pacific Railroad as an engineer after 33 years of service.

WHEREAS, Mr. Landry 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. Shirley J. Landry, father of Iberia Parish Councilman Thomas J. Landry, who passed away on June 11, 2009.

BE IT FURTHER RESOLVED, that this Resolution shall be forwarded to the family of Mr. Shirley J. Landry.

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, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution was declared adopted this 24th day of June, 2009.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Thomas J. Landry, that the Iberia Parish Council does hereby adopt Resolution Summary No. 170, which is a Resolution authorizing the execution of a service contract with Enmon Enterprises, LLC, dba Jani King of Lafayette for a term to expire on December 31, 2011 for Janitorial Services for the Main Courthouse, Annex and Breaux Building, which contract shall include monthly cost of \$9,995.07, plus an initial cost of \$22,790 for initial strip and wax.

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

YEAS: Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, Glenn Romero, Charles Williams and M. Larry Richard.

NAYS: Maggie F. Daniels, Lloyd Brown, John Berard and Roger Duncan.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution **FAILED** to be adopted this 24th day of June, 2009.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Glenn Romero, that the following be adopted:

RESOLUTION NO. 2009-171

A RESOLUTION AUTHORIZING THE EXECUTION OF AN  
Iberia Parish Council

INTERGOVERNMENTAL AGREEMENT WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE ACCEPTANCE OF A TRIANGLE OF PROPERTY AT LA 83 (WEEKS ISLAND ROAD) AND DARNALL ROAD TO BE USED FOR THE CONSTRUCTION OF THE IBERIA PARISH VETERANS MEMORIAL MONUMENT.

WHEREAS, with the adoption of Act No. 535 of the Regular Session of the Louisiana Legislature in 2008, the Louisiana Department of Transportation and Development has authorized the conveyance, transfer, assigns, and delivers all rights, title and interest in and to the property described in said Act; and

WHEREAS, the property includes a triangle bordered by LA 83 (Weeks Island Road) and Darnall Road and is to be used for the construction of a veterans memorial monument.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby accepts the conveyance, transfer, assigns and delivery of all rights, title and interest in and to the property described in Act 535 of the 2008 Regular Session of the Louisiana Legislature, which property shall be used for the construction of a veterans memorial monument.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to execute an Intergovernmental Agreement.

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, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution was declared adopted this 24th day of June, 2009.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Thomas J. Landry, that the following be adopted:

RESOLUTION NO. 2009-172

A RESOLUTION PROMOTING AWARENESS OF THE HURRICANE FLOOD PROTECTION DISTRICT ADVISORY COMMITTEE, WHICH MEETS MONTHLY IN ORDER TO DEVELOP AND IMPLEMENT A PLAN FOR FLOOD PROTECTION NEEDS SPECIFIC TO IBERIA PARISH IN CONJUNCTION WITH NEIGHBORING PARISHES WHICH WOULD PROVIDE PROTECTION FROM TIDAL SURGES.

WHEREAS, the Iberia Parish Government encourages the public

to participate in meetings and other processes for the development and implementation of a plan for flood protection needs specific to Iberia Parish:

WHEREAS, it is further encouraged that said plan be developed and promoted in conjunction with neighboring parishes which would provide protection from tidal surges; and

WHEREAS, there is a need for public awareness of this project as it will affect the entire Iberia Parish and surrounding parishes also.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby encourage and promote public awareness of the Hurricane Flood Protection District Advisory Committee and its mission to develop and implement a plan for flood protection needs specific to Iberia Parish.

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

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

YEAS: Maggie F. Daniels, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Charles Williams and M. Larry Richard.

NAYS: None.

ABSENT: Barry Verret, Jerome Fitch and Naray Hulin.

ABSENT AT VOTING: Curtis Boudoin.

And the Resolution was declared adopted this 24th day of June, 2009.

INITIAL DISCUSSION ITEMS:

ITEM #2009-06-G (Introduced by Glenn Romero, District 9)  
The Council considered an Ordinance amending Chapter 15 of the Iberia Parish Compiled Ordinances to prohibit door to door solicitation throughout the rural areas of Iberia Parish. Mr. Romero requested that the District Attorney's Office review this request and provide recommendations regarding this matter which was brought up due to concerns of the public for public safety.

ITEM #2009-06-H (Introduced by Naray Hulin, District 14)  
Also considered was an Ordinance amending the zoning classification for Lil Sugar Subdivision, Phase II, District 14, to include double-wide manufactured homes. It was agreed by general consensus that this item be forwarded to the next Council meeting for further consideration.

COUNCIL MEMBERS/PRESIDENT ANNOUNCEMENTS:

1. Various announcements were made including invitation to the Girl Scouts Breakfast, ribbon cutting at the Bayou

Warehouse Bridge, information on the status of the Vida Shaw Bridge Project.

2. Also, Mr. Duncan advised the Parish President that it has been requested that the District Attorney's Office review the drainage easements available for work which is scheduled in the LaBelle Colline Subdivision to ensure that proper easements have been obtained prior to the work taking place.
3. Mr. Comeaux questioned the status of the drainage request for proposals as requested by Council Resolution and was advised by the Parish President that there is no intention to issue said document as the drainage work is currently on schedule.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4126 (Introduced by Naray Hulin, District 14)

An Ordinance amending the zoning classification of property located at U.S. Highway 90 and Estis Road, which is currently owned by Segura Enterprises, LTD, District 14, from agricultural to industrial zoning, all contingent upon review and recommendation by the Iberia Parish Regional Planning Commission.

SUMMARY NO. 4127 (Introduced by Naray Hulin, District 14)

An Ordinance authorizing an abandonment of a portion of a drainage channel known as Channel L-3H-2A and further accepting additional right-of-way for said channel all located on the property of Segura Enterprises, LTD, District 14.

A motion was made by Mr. Glenn Romero, seconded by Mr. M. Larry Richard, that 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