

January 13, 2010
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, January 13, 2010.

The following members were recorded PRESENT:

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

ABSENT: None.

OTHERS IN ATTENDANCE: Ernest Freyou, Parish President

Kimberly Segura, Finance Director

Terry Bourque, Asst. Public Works Director

John Raines, Permits, Planning, and Zoning

Eric Duplantis, Legal Counsel

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. Jerome Fitch, its Chairman, who announced that the Council was now ready to conduct its business.

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SPECIAL BUSINESS:

1. Consider motion to override Parish President veto of the following:
 - (a) Line Item Veto of specific line items deleting various auto allowances per adoption of Ordinance No. 2009-12-4157, adopted December 9, 2009, which is an Ordinance adopting the 2010 General Fund Budget of Revenues and Expenditures, as amended.

Chairman Jerome Fitch called upon Vice-Chairman Barry Verret to report on a meeting held with representatives of the Administration and a proposed compromise agreement regarding this matter. Vice-Chairman Verret explained that the compromise includes that the Council would consider reinstating the auto allowance for the Chief Administrative Officer and additional funding for mileage reimbursement for use by other directors who do not have auto allowances. The Council would also form a Ad Hoc Committee to review the current auto allowance procedures and recommendations would follow. During this discussion, Councilman Brown stated that he feels that the purchase of a vehicle for Courthouse use would establish a savings to Parish government.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Curtis Boudoin, that the Iberia Parish Council does hereby override the veto of the Parish President which was a Line Item Veto of specific line items deleting various auto allowances per adoption of Ordinance No. 2009-12-4157, adopted December 9, 2009, which is an Ordinance adopting the 2010 General Fund Budget of Revenues and Expenditures, as amended.

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

YEAS: Maggie F. Daniels, Curtis Boudoin, Lloyd Brown, John Berard and Roger Duncan.

NAYS: Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, Barry Verret, Glenn Romero, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

ABSENT: None.

And the motion to override the veto **FAILED** to be adopted this 13th day of January, 2010.

The Chairman directed that the next agenda include a Resolution proposing amendment to the 2010 General Fund Budget to include funding for the CAO's \$500 per month auto allowance and additional funds for use by other directors for mileage, including the authorization to form an Ad Hoc Committee to study the auto allowance policy.

STANDING COMMITTEE ITEMS:ITEM #2010-01-G (Introduced by Jerome Fitch, District 11)

The Council discussed and considered action regarding receipt of a legal opinion by the District Attorney's Office regarding a request for repair and/or replacement of a bridge crossing Tete Bayou (Channel M-26) on the Allen Sorrel property, District 11.

A motion was made by Mr. Troy Comeaux, seconded by Mr. Thomas J. Landry, that this item shall be tabled until the next regular meeting to be held on January 27, 2010.

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

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

NAYS: None.

ABSENT: None.

And the motion to table was declared adopted this 13th day of January, 2010.

ITEM #2010-01-H (Introduced by Airport Authority)

The Council then discussed and considered a Resolution authorizing the appropriation of \$150,000 for Capital Outlay grant matching funds for the construction of HANGAR BLOCK #1 at the LeMaire Memorial Airport and further authorizing the Parish President or his designee to execute any and all documents pertaining to this grant, with a grant of \$450,000 from the Louisiana Capital Outlay budget already being awarded for said project.

Mr. Jason Devillier, Director of the Airport Authority, explained this project, which are to be funded by grant funds through the Capital Outlay Program, which requires 25% matching funds, resulting in the request to the Council to provide assistance with the local match. He stated that the Airport Authority has reviewed rental rates and maintenance costs of the T-Hangars over a ten year period and based on the number of rentals they feel will result as soon as construction is complete, the Airport Authority is proposing to repay these funds back to the Council, with interest over a fifteen year period. Councilman Broussard requested that this item be taken under advisement as there are other issues currently facing the Airport, which may result in a request for assistance for Parish funding, such as an environmental clean-up on Airport property, lease agreements with AvEx, etc.

Chairman Fitch stated that the Airport Authority has requested assistance from the City of Jeanerette and they have agreed to provide \$50,000 in assistance, because of the economic development impact to the Parish and the area.

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The Council was also addressed by Airport Authority Chairman Travis Segura regarding this matter.

A motion was made by Mr. Lloyd Brown, seconded by Mr. Roger Duncan, that this item be forwarded to the Council for consideration.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #201-01-I (Introduced by Airport Authority)

The Council discussed and considered a Resolution authorizing the appropriation of \$75,000 for DOT-Aviation grant matching funds for the construction of HANGAR BLOCK #2 at the LeMaire Memorial Airport and further authorizing the Parish President or his designee to sign any and all documents pertaining to said grant, with a grant of \$450,000 DOT-Aviation currently pending in ranking priority with the deadline for submission of the pledge of local matching funds being January 29, 2010.

A motion was made by Mr. Charles Williams, seconded by Mr. Lloyd Brown, that this item be forwarded to the Council for consideration, as amended to include that the Resolution is contingent upon the Airport Authority receiving grant funds for this project.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-J (Introduced by Planning Board of Adjustments)

Discuss and consider an Ordinance granting a waiver of front yard width requirements on property of James J. Laperouse, located on

Laperouse Road, all as recommended and approved by the Board of Adjustments of the Planning and Zoning Department.

A motion was made by Mr. John Berard, seconded by Mr. Roger Duncan, that this item be deleted from the agenda.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-K (Introduced by Planning Board of Adjustments)

The Council discussed and considered a Resolution granting Preliminary and Final Approval for Nuxy Romero property on Louisiana Drive provided that Lot 1B would not be landlocked, all as recommended and approved by the Board of Adjustments of the Planning and Zoning Department. Planning & Zoning Director John Raines requested that this item be deleted from the agenda.

A motion was made by Mr. Troy Comeaux, seconded by Mr. Bernard E. Broussard, that this item shall be moved forward to the next meeting for consideration.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-L (Introduced by Regional Planning Commission)

The Council discussed and considered a Resolution granting Preliminary and Final Approval for the David Larson property located on Creighton Broussard Road, conditional on the developer agreeing to work with the Public Works Department to straighten out the turning radius and safety at the intersection Lollipop Road

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(private road) and Creighton Broussard Road (public), located in District 13, and all as recommended and approved by the Regional Planning Commission. Planning and Zoning Director John Raines explained that this item needs further legal review and requested that the Council table this item until the next meeting.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Roger Duncan, that this item be tabled until the next meeting.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-M (Introduced by Regional Planning Commission)

The Council then discussed and considered a Resolution granting Preliminary and Final Approval to the James J. Laperouse property at the end of Laperouse Road, located in District 3, and conditional on all requirements of the Staff Report of the Planning and Zoning Department and all as recommended and approved by the Regional Planning Commission. Councilman Landry requested information regarding the drainage plan, as he stated that there are drainage problems on both sides of this property. Planning and Zoning Director John Raines stated that the Public Works Department is working to resolve those issues and that the property owner will be required to provide drainage easements as necessary in order to obtain approval.

A motion was made by Mr. Naray Hulin, seconded by Mr. Thomas J. Landry, that this item be forwarded to the Council for consideration.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-N (Introduced by Zoning Commission)

The Council discussed and considered an Ordinance amending the Zoning Ordinance to clarify the Submittal Requirements by updating said section and including a new checklist for said process, all as recommended and approved by the Zoning Commission. Planning and Zoning Director John Raines explained this proposed amendment.

A motion was made by Mr. John Berard, seconded by Mr. Nary Hulin, that this item be forwarded to the Council for consideration.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-O (Introduced by Zoning Commission)

The Council discussed and considered an Ordinance amending the Zoning Ordinance to name the Planning Commission Chairman, the Director of Public Works and the Director of Planning and Zoning as members constituting the Hearing Examiner Committee, all as recommended and approved by the Zoning Commission. There was discussion regarding this item and the limitations established by State law for subdivision approval for "smaller" developments. It was stated that the Council would still be provided with a monthly list of all subdivisions approved by the Hearing Examiner Committee.

A motion was made by Mr. John Berard, seconded by Mr. Naray Hulin, that this item be forwarded to the Council for consideration.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-P (Introduced by Naray Hulin, District 14)

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The Council discussed and considered the Louisiana Department of Transportation and Development's priority program as it relates to Louisiana Highway 88, District 14. Mr. Hulin explained that the number of accidents and the number of vehicle damages utilizing this highway is high and feels that the road should be improved and repaired as soon as possible.

A motion was made by Mr. Naray Hulin, seconded by Mr. Barry Verret, that this item be forwarded to the Council for consideration.

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, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

ITEM #2010-01-Q (Introduced by Lloyd Brown, District 4)

The Council then discussed and considered the status of the Parish's contract with Waste Management for solid waste and recycling collection and disposal. The Council was advised that the current prices for these services will increase significantly with a new contract. The Council was also advised that Waste Management has offered that the contract be renegotiated now, while there is still one year remaining on the current contract, which expires on February 1, 2011. The proposal would be to cancel the current contract now, with a new five year contract at a higher price, while still keeping the price lower than the current market prices. Several Council members expressed concern regarding the curbside recycling program, which costs approximately \$300,000 per year and the lack of public participation. The Chairman appointed an Ad Hoc Committee to consist of Council members Brown, Landry, Duncan, Verret and Hulin. The Ad Hoc Committee will meet with the Administration and representatives of Waste Management to negotiate possible contract revisions. The Council directed that the Administration also proceed with drafting of specifications for solid waste collection and disposal and for curbside recycling. It was also requested that the specifications include alternate proposals for debris collection and disposal.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Naray Hulin, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding Ordinances and Resolutions being considered for final adoption.

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

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

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

Mr. Bryan Gautreaux addressed the Council regarding Resolution Summary No. 7 which is a Resolution authorizing a contract with Archon Information Systems, LLC for the collection of delinquent ad valorem taxes. Mr. Gautreaux questioned several items in the contract, with responses provided by Legal Counsel Eric Duplantis. Mr. Duplantis stated that the proposed Professional Services Agreement has been reviewed and approved by the District Attorney's Office.

Councilman Roger Duncan stated that he may request that Resolution Summary No. 9 be tabled, because the Public Works Director has some concerns regarding the proposed reduction of this drainage easement. Mr. Teddy Gaspard addressed the Council regarding Resolution Summary No. 9, requesting that the drainage easement be reduced to allow his use of his property. This item is contingent upon review and approval of the Public Works Department.

Upon hearing no further comments, a motion was made by Mr. Naray Hulin, seconded by Mr. Barry Verret, that the Iberia Parish Council does adjourn the Public Hearing and to reconvene into Regular Session.

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

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

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January,

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2010.

A substitute motion was made by Mr. Barry Verret, seconded by Mr. Roger Duncan, that Summary No. 03, which is a Resolution amending the 2010 Royalty Fund Budget in the total amount of \$245,000 to provide funding for engineering fees to Berard, Habetz and Associates and for the construction of fencing around the jail facility, all to be funded from said budget's Jail Security System Contract Payments line item, be contingent upon the Iberia Parish Sheriff providing assistance in the design decisions of said fencing in order to provide the maximum security measures for the Jail.

After some discussion regarding the need for the Sheriff to be involved and offer his recommendations regarding this project, Mr. Barry Verret withdrew his motion.

A substitute motion was made by Mr. Bernard Broussard, seconded by Mr. Thomas J. Landry, that the Iberia Parish Council does hereby adopt Resolution Summary No. 03, as amended, to revise the 2010 Royalty Fund Budget in the total amount of \$10,000 to provide funding for engineering fees to Berard, Habetz and Associates and and to table the construction of fencing until the January 27, 2010.

RESOLUTION NO. 2010-03

A RESOLUTION AMENDING THE 2010 ROYALTY FUND BUDGET IN THE TOTAL AMOUNT OF \$10,000 TO PROVIDE FUNDING FOR ENGINEERING FEES TO BERARD, HABETZ AND ASSOCIATES AND FOR THE CONSTRUCTION OF FENCING AROUND THE JAIL FACILITY, ALL TO BE FUNDED FROM SAID BUDGET'S JAIL SECURITY SYSTEM CONTRACT PAYMENTS LINE ITEM.

WHEREAS, the Iberia Parish Jail is in need of the construction of fencing around the facility, which project is still in the process of being designed by engineers for said project; and

WHEREAS, it is necessary to appropriate sufficient funding for preliminary engineering and design, while consider full funding for said project at a later date.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Royalty Fund Budget in the amount of \$10,000 to provide funding for initial engineering fees for preliminary design for Jail Fencing to Berard, Habetz and Associates, Inc.

BE IT FURTHER RESOLVED, that said funding shall be funded from the 2010 Royalty Fund Budget, Jail Security System Contract Payments Line Item.

BE IT FURTHER RESOLVED, that the Iberia Parish Council shall consider providing remaining funding for engineering and construction of said project at an upcoming meeting for final adoption.

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-

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13 of the Iberia Parish Home Rule Charter.

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

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

NAYS: None.

ABSENT: None.

And the motion was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-07

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES WITH ARCHON INFORMATION SYSTEMS, LLC FOR THE COLLECTION OF DELINQUENT AD VALOREM TAXES, FOR A PERIOD OF THREE YEARS THROUGH NOVEMBER, 2012, ALL AS PER STANDING COMMITTEE ITEM NO. 2009-12-F OF DECEMBER 16, 2009.

WHEREAS, there exists delinquent ad valorem taxes which need to be collected and Archon Information Systems, LLC is available to provide services for the collection of delinquent ad valorem taxes.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the execution of an Agreement for Professional Services with Archon Information Systems, LLC for the collection of delinquent ad valorem taxes.

BE IT FURTHER RESOLVED, that said agreement will be for a period of three years through November 2012.

BE IT FURTHER RESOLVED, that this item is authorized in accordance with Standing Committee Item No. 2009-12-F of December 16, 2009 and all as reviewed and recommended by the District Attorney's Office.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-08

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO OBTAIN ENGINEERING COST ESTIMATES FOR THE WIDENING AND IMPROVEMENTS TO PARKER STREET OR THE CREATION OF POTENTIAL ALTERNATE ROUTES TO ALLOW FOR HEAVY TRAFFIC GENERATED BY SEWERAGE DISTRICT NO. 1 AND FURTHER REQUESTING THE CITY OF NEW IBERIA TO PARTICIPATE IN SAID PROJECT AS THEY OWN 50% OF SAID SEWERAGE TREATMENT PLANT, ALL AS PER STANDING COMMITTEE ITEM NO. 2009-12-H OF DECEMBER 16, 2009.

WHEREAS, the Sewerage District No. 1 Plant is located at the ends of Cotton and Parker Streets, with the main access being utilized being Parker Street, which is currently only one vehicle width and creating hazardous situations for traffic and the residents along said street; and

WHEREAS, said entrance to the Plant is insufficient for the heavy traffic generated by the Sewerage District No. 1 and the City of New Iberia, which is the co-owner of said sewerage treatment facility; and

WHEREAS, it is necessary to either improve the entrance by widening Parker Street or creating a potential alternate route to allow for the use of heavy traffic, with the City of New Iberia being requested to participate in the funding of said project by approximately 50%; and

WHEREAS, it is the desire of the Council to authorize the Administration to obtain engineering cost estimates for said improvements.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Administration to obtain engineering cost estimates for the widening and improvements to Parker Street or the creation of potential alternate routes to allow for heavy traffic generated by Sewerage District No. 1.

BE IT FURTHER RESOLVED, that it is requested that the City of New Iberia participate in said project as they own 50% of said sewerage treatment plant.

BE IT FURTHER RESOLVED, that this item is authorized in accordance with Standing Committee Item No. 2009-12-H of December 16, 2009.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-09

A RESOLUTION AUTHORIZING THE REDUCTION OF A DRAINAGE EASEMENT FOR CHANNEL L-1A-1A FROM 100' TO 50' FROM THE TOP BANK, ON ONE SIDE ONLY ON THE PROPERTY OF MR. TEDDY GASPARD, LOCATED IN DISTRICT 10, ALL CONTINGENT UPON REVIEW AND APPROVAL OF THE PUBLIC WORKS DIRECTOR.

WHEREAS, a drainage easement was established for Channel L-1A-1A at 100' from the top bank, on the property of Mr. Teddy Gaspard, located in District 10 during January 1968, which is recorded in the Official Records of Iberia Parish at Plat Book 6, Folios 7 and 16; and

WHEREAS, a request for a reduction in this 100' easement has been submitted to reduce the easement to 50' from the top bank, on one side only on the property of Mr. Teddy Gaspard, located in District 10; and

WHEREAS, this Resolution is to be reviewed and approved by the Public Works Director.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the reduction of a drainage easement for Channel L-1A-1A from 100' to 50' from the top bank, on one side only on the property of Mr. Teddy Gaspard, located in District 10, contingent upon review and approval of the Public Works Director.

BE IT FURTHER RESOLVED, pending approval of the Public Works Director, it is hereby directed that this easement reduction shall be recorded in the Official Records of Iberia Parish.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-10

A RESOLUTION AUTHORIZING WATER WORKS DISTRICT NO. 3 TO EMPLOY THE SERVICES OF THE LEGAL FIRM OF SIMON AND SIMON TO PROVIDE TITLE WORK FOR PROPERTY ACQUISITION, ALL IN ACCORDANCE WITH SECTION 9-02 OF THE IBERIA PARISH HOME RULE CHARTER.

WHEREAS, it is necessary to employ the services of the legal firm of Simon and Simon to perform title work for property acquisition for Water Works No. 3; and

WHEREAS, Council approval is necessary in accordance with Section 9-02 of the Iberia Parish Home Rule Charter.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize Water Works District No. 3 to employ the services of the legal firm of Simon and Simon to provide title work for property acquisition, all as approved in accordance with Section 9-02 of the Iberia Parish Home Rule Charter.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-11

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO PROCEED WITH ACTION NECESSARY TO BEGIN THE PROCESS FOR THE DEMOLITION OF THE DAVID/JACQUEMOUD BUILDING AND THE BREAUX BUILDING, INCLUDING REQUESTING LEGAL OPINIONS FROM THE DISTRICT ATTORNEY'S OFFICE ON THE PROCESS REQUIRED FOR DISPOSAL OF SAID BUILDINGS IN THE EVENT THE BUILDING(S) CAN BE PURCHASED AND MOVED OFF THE PROPERTY AND FURTHER DEVELOPING A PLAN FOR THE TEMPORARY RELOCATION OF A PORTION OF THE DISTRICT ATTORNEY'S OFFICE CURRENTLY LOCATED IN THE BREAUX BUILDING.

WHEREAS, the David/Jacquemoud Building and the Breaux Building are owned by Iberia Parish Government and said buildings are not needed by Iberia Parish Government at this time, while the property for said buildings could be utilized as much needed additional parking for the Main Courthouse and Annex Buildings; and

WHEREAS, it is being requested that the District Attorney's Office provide legal opinions on the process required for disposal of said buildings in the event the building(s) can be purchased and moved off the property; and

WHEREAS, it is further requested that Administration develop a plan for the temporary relocation of a portion of the District Attorney's Office currently located in the Breaux Building; and

WHEREAS, it is further directed that the Administration develop a program for the demolition/removal/sale of said buildings for the development of said properties as additional parking area and further that said program include projected dates for completion for each phase of said program.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to proceed with action necessary to begin the process for the demolition of the David/Jacquemoud Building and the Breaux Building, including requesting legal opinions from the District Attorney's Office on the process required for disposal of said buildings in the event the building(s) can be purchased and moved off the property.

BE IT FURTHER RESOLVED, that the Administration develop a plan for the temporary relocation of a portion of the District Attorney's Office currently located in the Breaux Building.

BE IT FURTHER RESOLVED,, that the Administration is hereby further directed to develop a program for the demolition/removal/sale of said buildings for the development of said properties as additional parking area, with said program include projected dates for completion for each phase of said program and further that said program shall be presented to the Iberia Parish Council for final approval prior to implementation.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-12

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO PROCEED WITH ACTION NECESSARY TO BEGIN THE PROCESS FOR THE DEVELOPMENT OF A ROAD IMPROVEMENTS PROJECT FOR IBERIA PARISH ROADS.

WHEREAS, the Iberia Parish maintains over 400 miles of roadway throughout the Parish, with several roadways in need of immediate improvements to provide a safer traveling surface.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorizing the Parish President to proceed with action necessary to begin the process for the development of a road improvements project for Iberia Parish roads, with all Council members being directed to provide a list of the projected roads for improvements within their Districts by February 15th.

BE IT FURTHER RESOLVED, that the Parish President is directed to compile said proposed road improvements list, with projected cost estimates, for final consideration by the Iberia Parish Council at its meeting of February 24, 2010>

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

Councilman Bernard Broussard reminded the Council that they have been invited to attend an inspection of Angola State Prison for Council members and their guests on Saturday, January 23, 2010.

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

RESOLUTION NO. 2010-13

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO DEVELOP A PROPOSED INTERGOVERNMENTAL AGREEMENT BETWEEN THE PARISH AND THE SHERIFF TO PROVIDE FOR A WRITTEN PLAN REGARDING THE FUTURE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES OF THE IBERIA PARISH JAIL'S HVAC/COMPUTER SYSTEM PROJECT, INCLUDING ALL ITEMS BEING PURCHASED AND INSTALLED AS PART OF SAID PROJECT AND FURTHER TO PROVIDE SAID WRITTEN PLAN TO THE COUNCIL FOR FINAL APPROVAL.

WHEREAS, the Sheriff has proposed some improvements to the Iberia Parish Jail Facility, specifically, the HVAC/Computer System Project; and

WHEREAS, it is necessary to determine the future ownership and maintenance responsibilities for said improvements through the execution of an Intergovernmental Agreement between the Parish and the Sheriff.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to develop a proposed Intergovernmental Agreement between the Parish and the Sheriff to provide for a written plan regarding the future ownership and maintenance responsibilities of the Iberia Parish Jail's HVAC/Computer System Project, including all items being purchased and installed as part of said project.

BE IT FURTHER RESOLVED, that said written plan is to be submitted to the Council for final approval prior to implementation.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

14537

A motion was made by Mr. Bernard Broussard, seconded by Mr. Naray Hulin, that the following be adopted:

RESOLUTION NO. 2010-14

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO DEVELOP A PROPOSED INTERGOVERNMENTAL AGREEMENT BETWEEN THE PARISH AND THE SHERIFF TO PROVIDE FOR A WRITTEN PLAN REGARDING THE FUTURE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES OF THE IBERIA PARISH JAIL'S ADDITIONAL GROUNDS AND BUILDING IMPROVEMENTS PROJECTS, INCLUDING THE FENCING PROJECT, INSTALLATION OF CAMERAS AND ANY OTHER SECURITY MEASURES CURRENTLY BEING UNDERTAKEN AND FURTHER TO PROVIDE SAID PROPOSED INTERGOVERNMENTAL AGREEMENT TO THE COUNCIL FOR FINAL APPROVAL.

WHEREAS, the Sheriff has proposed some improvements to the Iberia Parish Jail Facility, specifically, the proposed fencing of the facility, which may entail the installation of cameras and other security measures; and

WHEREAS, it is necessary to determine the future ownership and maintenance responsibilities for said improvements through the execution of an Intergovernmental Agreement between the Parish and the Sheriff.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the Parish President to develop a proposed Intergovernmental Agreement between the Parish and the Sheriff to provide for a written plan regarding the future ownership and maintenance responsibilities of the Iberia Parish Jail's Additional Grounds and Building Improvements Projects, including the fencing project, installation of cameras and any other security measures currently being undertaken or being projected as part of the fencing project.

BE IT FURTHER RESOLVED, that said Intergovernmental Agreement is to be submitted to the Council for final approval prior to implementation.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of

January, 2010.

14539

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

RESOLUTION NO. 2010-15

A RESOLUTION DIRECTING THE PARISH PRESIDENT TO PROVIDE A STATUS REPORT ON MOVING FORWARD WITH THE CONSTRUCTION AND INSTALLATION OF THE COURTHOUSE'S ADDITIONAL GROUNDS AND BUILDING IMPROVEMENTS PROJECTS, INCLUDING THE SECURITY PROJECT FOR THE MAIN AND ANNEX BUILDINGS AND FURTHER THAT SAID REPORT SHALL BE PRESENTED TO THE COUNCIL AT A FUTURE MEETING FOR FURTHER DISCUSSION AND APPROVAL.

WHEREAS, the construction, development and installation of a security program for the Main Courthouse and Annex is currently being undertaken.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby direct the Parish President to provide a status report on moving forward with the design, construction and installation of a Security Program for the Main Courthouse Building and Annex and to report to the Council at a future meeting for further discussion and approval.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

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

RESOLUTION NO. 2010-16

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET IN THE AMOUNT OF \$5,000 FOR PART TIME PERSONNEL FOR THE LEGISLATIVE DEPARTMENT, ALL TO BE FUNDED FROM THE 2010 GENERAL FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, a request has been made for the employment of part time personnel for the Legislative Department; and

WHEREAS, it is necessary to adjust the 2010 General Fund Budget in the amount of \$5,000 to accommodate this request.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the amount of \$5,000 for Part time Personnel for the Legislative Department, as follows:

ACCOUNT NO.					ACCOUNT TITLE	BUDGET	ADJUSTMENT	
0010	499000	0000	0000	0000	Fund Bal-Prev Yrs	\$163,237	+	\$5,000
0010	512000	1100	0000	0000	Personnel-P/T	\$0	+	\$5,000

BE IT FURTHER RESOLVED, that this funding shall be funded from the 2010 General Fund Budget, Fund Balance - Previous Years.

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

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

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

NAYS: None.

ABSENT: None.

And the Resolution was declared adopted this 13th day of January, 2010.

COUNCIL MEMBERS/PRESIDENT ANNOUNCEMENTS

1. Chairman Fitch advised that Mr. Chris Jordan will be allowed to make a full presentation on available office space for lease for use as the Iberia Parish Government Offices, but that he would allow Mr. Jordan to give a brief presentation tonight if there was no objection. The Council agreed by general consensus. Mr. Chris Jordan then explained that the building includes approximately 6,000 square feet, with cameras and security system, sprinkler system for fire protection and 159 parking spaces. This is the same building which currently occupies Senator Troy Hebert and Representative Taylor Barras' offices. More information will be presented at the next meeting.
2. The Parish President announced that a complaint had been filed regarding birds at Acadiana Regional Airport runway by Mr. Richard Dennison. Legal Counsel Eric Duplantis explained that, as a result of this complaint, a protocol has been established for receipt and resolution of complaints. The complaint would be filed with ARA, who will forward to the Parish President, Legal Counsel and the Director of Homeland Security. The Director of Homeland Security will be responsible for tracking, follow-up, contacting the complainant, contacting FAA, etc. Therefore, a paper trail will be developed for each complaint, including the investigation and the responses. Legal Counsel also explained that a formal plan for complaints regarding the Acadiana Regional Airport will be completed as soon as possible, including the surrounding property which includes Gordon's Landfill.
3. Councilmember Maggie Daniels requested an agenda item at the next meeting to receive a status report on the progress of group health insurance renewal for Parish employees. She also requested information from the Administration on what merit increases were authorized and questioned "flex" operations. Mr. Terry Bourque, Assistant Public Works Director, explained that some operators are trained to operate more than one piece of equipment and are considered "flex" operators.
4. Councilman Curtis Boudoin requested that Mr. Randy Gonsoulin also be scheduled to address the Council regarding a building for sale or possible use as Iberia Parish Government Offices.
5. Upon request by Councilman Comeaux, the Parish President advised that bids will be taken for the construction of the new Health Unit on January 19, 2010.
6. Councilman Bernard Broussard requested that a Resolution be scheduled for the next meeting to request the Police Jury Association of Louisiana to support legislation which would include Iberia Parish into the Federal Offshore Coastal Study being done by the U.S. Corps of Engineers. This item will be scheduled for the January 27th meeting. A similar Resolution has been adopted by St. Martin and St. Mary Parishes.
7. Councilman Verret questioned whether Troy Road would be included in the upcoming road project for 2010. Parish President Freyou stated that he intends to include Troy Road on the list of roads to be considered for approval by the Council.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4199 (Introduced by Parish President)

An Ordinance adopting the 2010 Waterworks District No. 3 Fund Budget of Revenues and Expenditures, as submitted.

SUMMARY NO. 4200 (Introduced by Zoning Commission)

An Ordinance amending Chapter 22 of the Iberia Parish Compiled Ordinances to include requirements for a drainage impact analysis for all proposed subdivisions, all as recommended by the Iberia Parish Zoning Commission, all as per Standing Committee Item No. 2009-12-E of December 16, 2009.

SUMMARY NO. 4201 (Introduced by Tommy Landry, District 3)

An Ordinance authorizing the closure of Howard Segura Road at its intersection with the service road of U.S. Highway 90, all as per Standing Committee Item No. 2009-12-G of December 16, 2009.

SUMMARY NO. 4202 (Introduced by Planning Board of Adjustments)

An Ordinance granting a waiver of front yard width requirements on property of James J. Laperouse, located on Laperouse Road, all as recommended and approved by the Board of Adjustments of the Planning and Zoning Department.

SUMMARY NO. 4203 (Introduced by Zoning Commission)

An Ordinance amending the Zoning Ordinance to clarify the Submittal Requirements by updating said section and including a new checklist for said process, all as recommended and approved by the Zoning Commission.

SUMMARY NO. 4204 (Introduced by Zoning Commission)

An Ordinance amending the Zoning Ordinance to name the Planning Commission Chairman, the Director of Public Works and the Director of Planning and Zoning as members constituting the Hearing Examiner Committee, all as recommended and approved by the Zoning Commission.

SUMMARY NO. 4205 (Introduced by Maggie F. Daniels, District 1)

An Ordinance establishing a policy to clarify the personnel merit evaluation process to ensure that no annual merit increase exceeds 4% and further providing that remaining available funds resulting from personnel not being granted said annual merit increase shall be returned to the fund balance of the appropriate fund.

A motion was made by Mr. Barry Verret, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby adjourn.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

/s/ Diane B. Phillips
Clerk of the Council