

AUGUST 25, 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, August 25, 2010.

The following members were recorded PRESENT:

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

ABSENT: Barry Verret and Glenn Romero.

OTHERS IN ATTENDANCE: Sally Angers, Chief Admin. Officer  
Kevin Hagerich, Public Works Director  
Eric Duplantis, Legal Counsel  
Jason Akers, Legal Counsel  
Kimberly Segura, Finance Director  
John Raines, Planning & Zoning Director

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.

# 15153

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Thomas J. Landry, 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: Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

ABSENT AT VOTING: Maggie F. Daniels.

And the motion was declared adopted this 25th day of August, 2010.

Upon hearing no comments, the Chairman requested a motion to adjourn the Public Hearing and to reconvene into Regular Session.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Naray Hulin, that the Iberia Parish Council does hereby adjourn its Public Hearing and reconvene into Regular Session.

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

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

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

ABSENT AT VOTING: Maggie F. Daniels.

And the motion was declared adopted this 25th day of August, 2010.

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

ORDINANCE NO. 2010-07-4226

AN ORDINANCE AMENDING THE IBERIA PARISH COMPILED ORDINANCES IN CHAPTER 5, SECTION 2, ANIMALS AND FOWL IN PARISH PARKS, TO INCLUDE: (A) THAT AT NO TIME ARE ANIMALS ALLOWED ON BALL FIELDS OR PLAYING AREAS OF RECREATIONAL FACILITIES, (B) ALL ANIMALS AND/OR FOWL ARE TO BE ON A LEASH, NOT TO EXCEED SIX FEET (6') IN LENGTH, (C) AT ALL TIMES THE OWNER OR PERSON IN CHARGE MUST HAVE DIRECT PHYSICAL CONTROL OVER SUCH ANIMAL OR FOWL BY MEANS OF THE LEASH.

THAT THE IBERIA PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 5 of the Iberia Parish Compiled Ordinances is hereby amended as follows:

**Animals and Fowl - Restraints required; Restricted areas.**

(a) Prohibition. No animal and/or fowl shall be allowed to run at large on the ball fields and/or playing areas of recreational facilities within Iberia Parish, whether it is tagged or untagged for rabies control, without the owner or person in charge thereof having direct physical control over such animal and/or fowl by means of a leash, which leash shall not exceed six foot (6') in length.

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

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Ordinance was declared adopted this 25th day of August, 2010.

# 15155

Discussion was held regarding Ordinance Summary No. 4227 by Mr. Jason Akers, Legal Counsel, and several Council members. Also addressing the Council was Mr. Ray Allain, a member of the Recreation District No. 8 Board, who expressed his support of the proposed Ordinance.

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

The following ordinance was introduced at a regular meeting convened on August 11, 2010:

## **PROPOSED ORDINANCE**

The following ordinance, having been previously introduced and published by title and a public hearing held thereon on August 25, 2010, was offered for final adoption by Mr. Bernard E. Broussard, and seconded by Mr. Naray Hulin:

### ORDINANCE NO. 2010-08-4227

AN ORDINANCE APPROVING THE HOLDING OF AN ELECTION IN THE RECREATION DISTRICT NO. 8 OF THE PARISH OF IBERIA, STATE OF LOUISIANA, ON TUESDAY, NOVEMBER 2, 2010 TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN.

WHEREAS, the Board of Commissioners of Recreation District No. 8 of the Parish of Iberia, State of Louisiana (the "Governing Authority"), acting as the governing authority of Recreation District No. 8 of the Parish of Iberia, State of Louisiana (the "District"), adopted a resolution on August 4, 2010, calling a special election in the District on Tuesday, November 2, 2010, to authorize the levy of a special tax therein; and

WHEREAS, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of Iberia, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to levy and collect the special tax provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to levy and collect the special tax provided for therein;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of Iberia, State of Louisiana, acting as the governing authority of said Parish, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Recreation District No. 8 of the Parish of Iberia, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Tuesday, November 2, 2010, at which election there will be submitted the following proposition, to-wit:

PROPOSITION  
(MILLAGE)

Summary: 10 year, 3 mills property tax for acquiring, constructing, improving and/or supporting parks, playgrounds, recreation centers and other recreational facilities in Recreation District No. 8, together with furnishings, equipment and programs therefor.

Shall Recreation District No. 8 of the Parish of Iberia, State of Louisiana (the "District"), levy a three (3) mills tax (the "Tax") on all the property subject to taxation in the District (an estimated \$75,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for a period of ten (10) years, beginning with the year 2011 and ending with the year 2020, for the purpose of acquiring, constructing, improving and/or supporting parks, playgrounds, recreation centers and other recreational facilities in the District, together with furnishings, equipment and programs therefor?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to levy and collect the special tax provided for therein.

SECTION 3. That this Ordinance shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

After some discussion, Mr. Charles Williams called for the question. This motion to call for the question, 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, Roger Duncan, Jerome Fitch, M. Larry Richard, and Naray Hulin.

NAYS: Charles Williams.

ABSENT: Barry Verret and Glenn Romero.

And the motion to call for the question was adopted this 25th day of August, 2010.

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

YEAS: Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, John Berard, Roger Duncan, Jerome Fitch, M. Larry Richard, and Naray Hulin.

NAYS: Maggie F. Daniels, Curtis Boudoin, Lloyd Brown, and Charles Williams.

**15157**

ABSENT: Barry Verret and Glenn Romero.

And the Ordinance was declared adopted this 25th day of August, 2010.

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

RESOLUTION NO. 2010-224

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET IN THE TOTAL AMOUNT OF \$31,000 TO PROVIDE FUNDING FOR THE REPLACEMENT OF THE VOTING SYSTEM, UPGRADES TO THE MEETING ROOM FOR PUBLIC USE, ALL TO BE FUNDED BY THE 2010 GENERAL FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Iberia Parish Council Chambers is utilized for the conducting of businesses, which includes voting on agenda items and recordation of meetings; and

WHEREAS, the Iberia Parish Council Chambers' current voting system is in need of general repairs and/or upgrading; and

WHEREAS, a quote has been received from Intermedia Technologies to replace the voting system and provide upgrades to the meeting room for public use at an estimated cost of \$31,000; and

WHEREAS, it is necessary to amend the budget to provide for the funding of said replacement and/or upgrades.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the total amount of \$31,000 to provide funding for the replacement of voting system and upgrades to the meeting room for public use, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
499000 0000 0000 0000	Fund Bal-Prev Years	\$1,072,709 +	\$31,000
574100 1110 0000 0000	Furniture & Equip	\$1,000 +	\$31,000

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

# 15159

A motion was made by Mr. John Berard, seconded by Mr. Lloyd Brown, that the following be adopted as amended:

## RESOLUTION NO. 2010-242

A RESOLUTION DECLARING EQUIPMENT FOR THE SEWERAGE DISTRICT NO. 1 AND THE PUBLIC WORKS DEPARTMENT AS SURPLUS PROPERTY AND FURTHER AUTHORIZING DISPOSAL OF SAID ITEMS, ALL AS REQUESTED BY THE IBERIA PARISH SEWERAGE DISTRICT NO. 1 BOARD OF COMMISSIONERS AND THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the Iberia Parish Sewerage District No. 1 and the Public Works Department have requested that various equipment be declared as surplus in order that they can dispose of said items in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby declare various items from the (name) as surplus items and further authorizes the sale and/or the disposal of said items, all as per Standing Committee Item #2010-08-N and as amended, which include the following:

ITEM DESCRIPTION	REASON
Marsh Buggy, 1985, PJ003071, CIBOL Ardco K4X4	Not Used
Generator, Serial No. 07-21171	Not repairable
1980 Sewer Cleaning Machine No. GSG-417P-6002-6N, License Plate #4P114978	Too costly to repair

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

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

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

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

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

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

RESOLUTION NO. 2010-243

A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE STATE OF LOUISIANA UNDER THE FISCAL YEAR 2010-2011 FOR THE LOCAL GOVERNMENT ASSISTANCE PROGRAM.

WHEREAS, the Louisiana Office of Community Development has announced that applications are being accepted for the Fiscal Year 2010-2011 Local Government Assistance Program; and

WHEREAS, the Local Government Assistance Program offers grants to eligible municipalities and parishes for a wide range of projects to improve public health, public safety, living conditions and for economic development purposes; and

WHEREAS, the Administration advised that a previous Resolution authorizing an application for \$50,000 for improvements at the Pepperplex will be denied because recreational facilities are not qualified for this funding program and proposed that the application for these funds to complete the funding for the Sugar Cane Festival Building roof project and the remaining funds for the GIS Project; and

WHEREAS, it is deemed necessary and proper for the Iberia Parish Government to submit an application to the Office of Community Development under the Local Government Assistance Program.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council that the Parish President, Mr. Ernest Freyou, is hereby authorized to sign and submit and application to the State of Louisiana, Office of Community Development under the Fiscal Year 2010-2011 Local Government Assistance Program, as submitted.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

# 15161

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

## RESOLUTION NO. 2010-244

A RESOLUTION DECLARING PROPERTY AND BUILDING AS SURPLUS PROPERTY AND AUTHORIZING THE DONATION OF SAID PROPERTY AND BUILDING TO THE IBERIA PARISH COUNCIL ON AGING, INC.

WHEREAS, the Iberia Parish Council on Aging, Inc. has requested that the building currently utilized by their personnel, located at 126 West Washington Street, be declared as surplus by Iberia Parish and donated to said agency.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby the following property and building as surplus items and further authorizes the sale and/or the disposal of said items, all as per Standing Committee Item #2010-08-Q, which items include the following:

A certain lot of ground, together with all buildings and improvements thereon and thereunto belonging or in anyway appertaining and all rights, ways and appurtenances thereof, situated in the Corporate Limits of the City of New Iberia, Parish of Iberia, Louisiana, located on the East side of West Washington Street, measuring Eighty (80') feet from on said West Washington Street, by a depth between parallel lines of One Hundred Forty-five and 8/10 (145.8') feet and bounded on the North by Remy Broussard and Joe Bourg or assigns, (formerly Estate of Zenon Decuir) South by property of Leon Landry or assigns, East by property of Trainor or assigns, and on the West or In front by said West Washington Street.

Being the same property acquired by Theodore M. Haik, Jr., et als, from Arthur H. Fleming, dated January 17, 1975 recorded January 21, 1975, by act of Cash Sale, filed and duly recorded in Conveyance Book 624, Entry No. 75-353, of the public records of Iberia Parish, Louisiana.

BE IT FURTHER RESOLVED, that said property and building shall be donated to the Iberia Parish Council on Aging, Inc. and that the Administration is authorized to prepare the necessary documents to facilitate this transfer of property; and

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

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

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

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

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

# 15163

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

## RESOLUTION NO. 2010-245

A RESOLUTION REQUESTING THE IBERIA PARISH CONGRESSIONAL DELEGATION FOR ASSISTANCE WITH ENFORCEMENT OF FEDERAL, STATE, AND LOCAL REGULATIONS FOR BLOCKING OF INTERSECTIONS BY RAILROADS, INCLUDING L & D RAILROAD COMPANY.

WHEREAS, railroad traffic utilizes this railroad track during its operations and often times, blocks several intersections for extended periods of time while performing their routine operations; and

WHEREAS, said blocking of intersections cause traffic congestion for vehicular traffic and creates a hazardous situation when emergency vehicles are attempting to respond to emergencies, in addition to causing traffic congestion when intersections are blocked, especially at peak traffic hours; and

WHEREAS, Louisiana and Delta Railroad Company has blocked several intersections which are used by traffic generated from a large industrial complex and at the entrances to populated residential areas, such as Adras Road, Miguez Road and Creighton Broussard Road for extended periods of time creating hazardous situations for emergency vehicles and all creating traffic congestion at peak traffic hours; and

WHEREAS, Ordinance No. 2009-11-4151, adopted on November 18, 2010, provided regulations for railroad companies blocking street intersections for extended periods of time; and

WHEREAS, said blocking of intersections on railroad tracks are continuing even though this Ordinance has been adopted and assistance is being requested from the Congressional Delegation to enforce said regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby the Iberia Parish Congressional Delegation for assistance with enforcement of Federal, State, and local regulations for blocking of intersections by railroads, including L & D Railroad Company.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

**15164**

And the Resolution was declared adopted this 25th day of August, 2010.

# 15165

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

## RESOLUTION NO. 2010-246

A RESOLUTION REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO PROVIDE DRAINAGE WORK IN IBERIA PARISH TO INCLUDE THE CLEANING OF CULVERTS UNDER LA 674 AT ARMENCO CANAL, THE CLEANING OF BOXES UNDER U.S. 90 AT DUBOIN CANAL, AND ASSISTANCE WITH DRAINAGE IMPROVEMENTS FOR THE BODIN COULEE, DUBOIN COULEE, AND PEEBLES COULEE.

WHEREAS, there are numerous drainage canals and/or coulees that run throughout Iberia Parish, assisting in draining the surrounding lands; and

WHEREAS, these drainage canals and/or coulees require maintenance by cleaning out the culverts, cutting the overgrowth of grass, and/or removing the silt and accumulated trash within the canal and/or coulees; and

WHEREAS, several areas within Iberia Parish are in need of maintenance to facilitate the proper drainage of water, including at (a) La. 674 (Admiral Doyle Drive) at Armenco Canal and (b) U.S. 90 at Duboin Canal.

WHEREAS, water is not draining properly at Bodin Coulee, Duboin Coulee, and Peebles Coulees, and assistance is needed to ensure that these areas drain more effectively and as efficiently as possible.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the Louisiana Department of Transportation and Development to provide drainage work in Iberia Parish to include:

- a) The cleaning of culverts under La. 674 (Admiral Doyle Drive) at Armenco Canal; and
- b) The cleansing of boxes under U.S. 90 at Duboin Canal; and
- c) Assistance to the Parish with drainage improvements for the Bodin Coulee, Duboin Coulee and Peebles Coulee.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby request the Louisiana Department of Transportation and Development to provide assistance with drainage improvements for the Bodin Coulee, Duboin Coulee, and Peebles Coulee.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

# 15167

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

## RESOLUTION NO. 2010-247

A RESOLUTION AMENDING THE 2010 RECREATION DISTRICT NO. 8 FUND BUDGET TO INCLUDE VARIOUS ADJUSTMENTS INCLUDING BUILDING RENOVATIONS, ELECTIONS AND ADVERTISING EXPENSES, ALL TO BE FUNDED FROM THE 2010 RECREATION DISTRICT NO. 8 FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, it is necessary to amend the 2010 Recreation District No. 8 Fund Budget to include various adjustments, including building renovations and elections and advertising expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 Recreation District No. 8 Fund Budget to provide funding for building renovations and elections and advertising expenses, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
499000 0000 0000 0000	Fund Bal-Prev Yrs	-0-	+ \$375,753
533100 5220 0042 0000	Arch/Eng Services	-0-	+ \$25,553
575000 5220 0042 0000	Contract Payments	-0-	+ \$243,000
600005 5220 0042 0000	City of Jeanerette	-0-	+ \$90,000
554000 5220 0042 0000	Adv, Dues, & Subs	-0-	+ \$700
533900 5220 0042 0000	Election Costs	-0-	+ \$20,000
599000 0000 0000 0000	Fund Bal-Prev Yrs	\$3,500	- \$3,500

BE IT FURTHER RESOLVED, that said total appropriation shall be funded the 2010 Recreation District No. 8 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: Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, John Berard, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: Maggie F. Daniels, Curtis Boudoin, and Lloyd Brown.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

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

RESOLUTION NO. 2010-248

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET TO INCLUDE ADDITIONAL GRANT FUNDS OF \$17,918 FOR THE SMILE, CAA IBERIA PARISH HOMELESS SHELTER GRANT PROGRAM.

WHEREAS, SMILE, CAA provides shelter to persons through the operation of the Iberia Parish Homeless Shelter Grant Program; and

WHEREAS, SMILE, CAA has been successful in obtaining grant funding from the Louisiana Emergency Shelter Grant Program for the Homeless to be utilized at the Iberia Parish Homeless Shelter.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget to include additional grant funds of \$17,918, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
431000 4400 0000 1008	Fed. Homeless Shelter	\$14,760	+ \$17,918
600003 4400 0000 1008	SMILE	\$14,400	+ \$17,484
533600 4400 0000 1008	Administrative Fees	\$360	+ \$437

BE IT FURTHER RESOLVED, that said total appropriation shall be funded grant funds.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

# 15169

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

## RESOLUTION NO. 2010-249

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET IN THE AMOUNT OF \$50,000 TO PROVIDE MATCHING FUNDS TO THE 2010 ACADIANA FAIRGROUNDS FUND BUDGET, WHICH FUNDS WILL BE USED AS MATCHING FUNDS FOR STATE GRANT FROM THE TOURIST VISITOR ENTERPRISE FUND IN THE AMOUNT OF \$150,000.

WHEREAS, the Acadiana Fairgrounds Commission has requested that Iberia Parish Government provide matching funds in the amount of \$50,000 in order for them to be eligible to receive approved State grant funds in the amount of \$150,000 from the Iberia Parish Tourist Commission - Visitor Enterprise Fund in accordance with Act No. 41 of the 2010 Regular Session of the Louisiana Legislature; and

WHEREAS, the Acadiana Fairgrounds Commission has no permanent source of funding for operation and maintenance of its facilities, other than rental fees charged and is requesting that the Iberia Parish Council dedicate these funds from Parish funds.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the amount of \$50,000 to provide matching funds to the 2010 Acadiana Fairgrounds Fund Budget, which funds will be used as matching funds for State grant from the Iberia Parish Tourist Commission - Visitor Enterprise Fund in the amount of \$150,000, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
GENERAL FUND:			
499000 0000 0000 0000	Fund Bal-Prev Yrs	\$1,072,7 +	\$50,000
960473 5100 0047 0000	Op Tr-Acadiana Fairgds	\$0 +	\$50,000
ACADIANA FAIRGROUNDS:			
499000 0000 0000 0000	Fund Bal - Prev Yrs	\$14,007 -	\$14,007
910001 0000 0000 0000	Op Tr - General Fund	\$0 +	\$50,000
599000 5240 0045 0000	Fund Bal-Prev Yrs	\$0 +	\$35,993

BE IT FURTHER RESOLVED, that said total appropriation shall be funded 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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

The Chairman recognized Mr. Kirk Kapp in the audience, who lives on Patoutville Road and who expressed appreciation for the drainage work done in this area. He also expressed appreciation on behalf of Mr. Barry Buteaux who lives in the same area and wanted to express his appreciation.

The Chairman moved forward to Standing Committee Item No. 2010-08-BB, in order to allow Ms. Suzanne Collins to address the Council regarding this issue. Ms. Collins requested clarification of the proposed Ordinance and Mr. John Raines addressed the need to amend the existing ordinance in order to only reclassify properties currently including the Mon Ami Club and a former paint and body shop. All other properties in this area will remain classified as residential. Ms. Collins also expressed appreciation for drainage work done in the Grand Marais area.

ITEM #2010-08-BB (Introduced by Zoning Commission)

Discuss and consider an Ordinance authorizing the reclassification of property bounded by U.S. Highway 90 and College Road/Olivier Road from Mixed Residential (R-2) to General Business (C-2), all as recommended by the Iberia Parish Regional Zoning Commission.

A motion was made by Mr. Charles Williams, seconded by Mr. Roger Duncan, that the following be forwarded to the Iberia Parish Council for adoption at a meeting to be held on September 1, 2010 as amended.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

ITEM # 2010-08-S (Introduced by Curtis Boudoin, District 2)

Discuss and consider action regarding funding of the costs for implementation of the Courthouse Security Program.

A motion was made by Mr. Curtis Boudoin, seconded by Mr. Charles Williams, that the following be amended to instruct Administration to move and locate the security machine to the second floor for Judge Watigny.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

# 15171

And the motion was declared adopted this 25th day of August, 2010.

ITEM #2010-08-T (Introduced by Naray Hulin, District 14)

Discuss and consider action to re-establish the full-time position of Right-of-way Agent for Iberia Parish Government and further to amend the 2010 Parishwide Drainage Maintenance Fund Budget to provide funds for salary and benefits for the remainder of 2010, all to be funded from the 2010 Parishwide Drainage Maintenance Fund Budget, Fund Balance - Previous Years.

A motion was made by Mr. Naray Hulin, seconded by Mr. M. Larry Richard, that the following be delayed until further information can be reported and further action to be taken at a later date.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

ITEM #2010-08-U (Introduced by Curtis Boudoin, District 2)

Discuss and consider action to amend the budget in the approximate amount of \$250,000 per year to provide for security for the Courthouse Building by the Iberia Parish Sheriff's Department.

A motion was made by Mr. Curtis Boudoin, seconded by Mr. Lloyd Brown, that the following be forwarded to the Iberia Parish Council for adoption at a meeting to be held on September 1, 2010.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

ITEM #2010-08-V (Introduced by Larry Richard, District 13)  
Discuss and consider a Resolution of the Iberia Parish Hurricane Protection Advisory Committee requesting that the Council consider a Resolution requesting the Iberia Parish Congressional Delegation to provide grant funding in the amount of \$100,000 for the South Central Hurricane & Flood Protection Plan.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Roger Duncan, that the following be forwarded to the Iberia Parish Council for adoption at a meeting to be held on September 1, 2010.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

ITEM #2010-08-W (Introduced by Larry Richard, District 13)  
Discuss and consider a Resolution of the Iberia Parish Hurricane Protection Advisory Commission requesting that the Council consider a Resolution to St. Mary and St. Martin Parish Governments requesting that they consider Resolutions of support of Iberia Parish's request for Federal grant funding in the amount of \$100,000 for the South Central Hurricane & Flood Protection Plan.

A motion was made by Mr. M. Larry Richard, seconded by Mr. Roger Duncan, that the following be forwarded to the Iberia Parish Council for adoption at a meeting to be held on September 1, 2010.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

ITEM #2010-08-X (Introduced by Parish President)  
Discuss and consider a Resolution amending the 2010 Water Works District No. 3 Fund Budget in the amount of \$13,000 to provide funds for the purchase of a vehicle on State contract, all to be funded from the 2010 Water Works District No. 3 Fund Budget, Fund Balance - Previous Years.

A motion was made by Mr. Naray Hulin, seconded by Mr. Roger Duncan, that the following be forwarded to the Iberia Parish Council for

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adoption at a meeting to be held on September 1, 2010.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

## ITEM #2010-08-Y (Introduced by Zoning Commission)

A Resolution granting a second extension of Preliminary Approval to the Teche Ridge Subdivision, District 8, pending review and approval of the Iberia Parish Regional Planning Commission.

A motion was made by Mr. John Berard, seconded by Mr. Bernard Broussard, that the following be forwarded to the Iberia Parish Council for adoption at a meeting to be held on September 1, 2010.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

## ITEM #2010-08-Z (Introduced by Zoning Commission)

Discuss and consider a Resolution granting Preliminary Approval to the Blaine Broussard Subdivision, District 9, all as reviewed and recommended by the Iberia Parish Regional Planning Commission.

A motion was made by Mr. Naray Hulin, seconded by Mr. Lloyd Brown, that Standing Committee Item #2010-08-Z 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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion to delete was declared adopted this 25th day of

August, 2010.

Discussion regarding the following Standing Committee Item took place with Mr. John Raines, Planning and Zoning Director. During discussion, the Council requested information regarding the status of a building permit issued to K & J Supply for construction in an area which is zone agricultural. Mr. Raines stated that this information would be provided as soon as possible. Several questions were raised regarding the amount of property being included within this reclassification and concerns were raised.

ITEM #2010-08-AA (Introduced by Zoning Commission)

Discuss and consider an Ordinance authorizing the reclassification of property located at the northeastern intersection of LA 3212/Admiral Doyle to Coteau Road from Agricultural (A-1) to Industrial (I-1), all as recommended by the Iberia Parish Regional Zoning Commission.

A motion was made by Mr. Tommy Landry, seconded by Mr. Roger Duncan, that the following be forwarded to the Iberia Parish Council for adoption at a meeting to be held on September 1, 2010.

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

YEAS: Thomas J. Landry, Troy Comeaux, John Berard, Roger Duncan, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: Maggie F. Daniels, Curtis Boudoin, Lloyd Brown, Bernard Broussard and Jerome Fitch.

ABSENT: Barry Verret and Glenn Romero.

And the motion **FAILED** to be adopted this 25th day of August, 2010.

# 15175

A motion was made by Mr. Naray Hulin, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby recess its Regular Session to convene as a Public Hearing to consider public comments regarding an expansion of the agenda to consider proposed Resolution Summary No. 250, which Resolution would amend the 2010 General Fund Budget in the total amount of \$25,000 to provide funds for the purchase and replacement of an air conditioner compressor for the Iberia Parish Jail, all to be funded from the 2010 General Fund Budget, Public Buildings Maintenance Fund Balance - Previous Years.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day August, 2010.

Upon requesting and hearing no comments from the audience, the Chairman requested a motion to adjourn the Public Hearing.

A motion was made by Mr. Naray Hulin, seconded by Mr. Roger Duncan, that the Iberia Parish Council does hereby adjourn its Public Hearing and reconvene back 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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day of August, 2010.

A motion was made by Mr. Roger Duncan, seconded by Mr. Lloyd Brown, that the Iberia Parish Council does hereby expand its agenda to consider proposed Resolution Summary No. 250, which Resolution would amend the 2010 General Fund Budget in the total amount of \$25,000 to provide funds for the purchase and replacement of an air conditioner compressor for the Iberia Parish Jail, all to be funded from the 2010 General Fund Budget, Public Buildings Maintenance Fund Balance - Previous Years.

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, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the motion was declared adopted this 25th day August, 2010.

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

RESOLUTION NO. 2010-250

A RESOLUTION AMENDING THE 2010 GENERAL FUND BUDGET IN THE TOTAL AMOUNT OF \$25,000 TO PROVIDE FUNDS FOR THE PURCHASE AND REPLACEMENT OF AN AIR CONDITIONER COMPRESSOR FOR THE IBERIA PARISH JAIL, ALL TO BE FUNDED FROM THE 2010 GENERAL FUND BUDGET, PUBLIC BUILDINGS MAINTENANCE FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Iberia Parish Government has a contract with the Iberia Parish Law Enforcement District for the operations and maintenance of the Iberia Parish Jail, which contract provides that the Parish shall be responsible for maintenance of the air conditioning system and the roof of said building.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby amend the 2010 General Fund Budget in the total amount of \$25,000 to provide funds for the purchase and replacement of an air conditioner compressor for the Iberia Parish Jail, as follows:

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>ADJUSTMENT</u>
499000 0000 0000 0000	Fund Bal - Prev Yrs	\$1,072,7	+ \$25,000
574100 2105 0000 0000	Equipment & Furniture		+ \$25,000

BE IT FURTHER RESOLVED, that said amount shall be funded from the 2010 General Fund Budget, Public Buildings Maintenance 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 2-12 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,  
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Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret and Glenn Romero.

And the Resolution was declared adopted this 25th day of August, 2010.

**PARISH PRESIDENT ANNOUNCEMENTS**

1. CAO Sally Angers reminded the Council of the groundbreaking ceremony for the Waste Water Treatment Plant to be held Tuesday at 9:00 a.m. at the Sugarena.

**COUNCIL MEMBER/STAFF ANNOUNCEMENTS**

1. Councilman Curtis Boudoin questioned an article in The Daily Iberian where the Parish President states that debris in channels is not a major problem, but the Public Works Director states that this is a large problem.
2. Councilman Roger Duncan requested that the Council address a letter received from Senator Troy Hebert regarding the status of the Visitor Enterprise Fund. Assistant District Attorney Eric Duplantis stated that to his knowledge no one from the District Attorney's Office requested the State to withhold this funding.

**ORDINANCES INTRODUCED FOR PUBLICATION:**

None.

A motion was made by Mr. Naray Hulin, 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:

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Clerk of the Council