

Minutes of a meeting of the Plaquemines Parish Council held in the Plaquemines Parish Temporary Courthouse, 450 F. Edward Hebert Blvd., Belle Chasse, Louisiana, on Thursday, August 28, 2008, at 1:15 p.m. pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member John J. Friedman, Chairman
Council Member Lynda G. Banta, Vice-Chairman
Council Member Keith Hinkley
Council Member Jerry Hodnett
Council Member Irvin Juneau
Council Member Anthony L. Buras, Jr.
Council Member Burghart Turner

Melissa P. LeBlanc, Secretary

ABSENT: Council Member Don Beshel
Council Member Marla Cooper

Mr. Billy Nungesser, Parish President, is absent.

Ms. Janice Acosta, Executive Assistant, is present representing Administration.

The Pledge of Allegiance was led by Council Member Jerry Hodnett.

RESOLUTION NO. 08-322

On motion of Council Member Banta, seconded by Council Member Buras, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

A Resolution authorizing the renewal of the bid contract with Shimadzu Scientific Instruments, Inc. for furnishing one or more Shimadzu TOC 4110 on line analyzer for an additional year.

WHEREAS, bids were received on August 14, 2007 for furnishing one or more Shimadzu TOC 4110 on line Analyzer; and

WHEREAS, bid contract was awarded to Shimadzu Scientific Instruments, Inc. by Plaquemines Parish Council Resolution No. 07-329 adopted on September 27, 2007; and

WHEREAS, the Plaquemines Parish Government has the option of renewing the bid contracts for an additional year if all parties are in agreement; and

WHEREAS, Shimadzu Scientific Instruments, Inc. has confirmed that they would extend their prices for an additional year and it is the recommendation of the Purchasing Agent, Brenda L. Stanifer, that we renew this bid contract;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Purchasing Agent to renew the contract with Shimadzu Scientific Instruments, Inc. for furnishing one or more Shimadzu TOC 4110 on line analyzer for an additional year, beginning September 27, 2008 through September 26, 2009.

BE IT FURTHER RESOLVED that the Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Shimadzu Scientific Instruments, Inc. for furnishing one or more Shimadzu TOC 4110 on line analyzer for an additional year, beginning September 27, 2008 through September 26, 2009.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-323

On motion of Council Member Banta, seconded by Council Member Juneau, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

A Resolution authorizing the renewal of the bid contract with BLP Mobile Paint Company for furnishing paint and painting materials for an additional year.

WHEREAS, bids were received on October 30, 2007 for furnishing paint and painting materials; and

WHEREAS, bid contract was awarded to BLP Mobile Paint Company by Plaquemines Parish Council Resolution No. 07-388 adopted on November 8, 2007; and

WHEREAS, the Plaquemines Parish Government has the option of renewing the bid contracts for an additional year if all parties are in agreement; and

WHEREAS, BLP Mobile Paint Company has confirmed that they would extend their prices for an additional year and it is the recommendation of the Purchasing Agent, Brenda L. Stanifer, that we renew this bid contract;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Purchasing Agent to renew the contract with BLP Mobile Paint Company for furnishing paint and painting materials for an additional year, beginning November 8, 2008 through November 7, 2009.

BE IT FURTHER RESOLVED that the Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with BLP Mobile Paint Company for furnishing paint and painting materials for an additional year, beginning November 8, 2008 through November 7, 2009.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-324

On motion of Council Member Friedman, seconded by Council Member Banta, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

A Resolution authorizing the renewal of the bid contract with Simco Coatings, Inc. for furnishing paint and painting materials for an additional year.

WHEREAS, bids were received on August 14, 2007 for furnishing paint and painting materials; and

WHEREAS, bid contract was awarded to Simco Coatings, Inc. by Plaquemines Parish Council Resolution No. 07-332 adopted on September 27, 2007; and

WHEREAS, the Plaquemines Parish Government has the option of renewing the bid contracts for an additional year if all parties are in agreement; and

WHEREAS, Simco Coatings, Inc. has confirmed that they would extend their prices for an additional year and it is the recommendation of the Purchasing Agent, Brenda L. Stanifer, that we renew this bid contract;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Purchasing Agent to renew the contract with Simco Coatings, Inc. for furnishing paint and painting materials for an additional year, beginning September 27, 2008 through September 26, 2009.

BE IT FURTHER RESOLVED that the Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Simco Coatings, Inc. for furnishing paint and painting materials for an additional year, beginning September 27, 2008 through September 26, 2009.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Friedman moved to revert to Agenda Item 1a, "Executive Session". Without objections, so ordered.

RESOLUTION NO. 08-325

On motion of Council Member Banta, seconded by Council Member Buras, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the following resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby resolves itself into Executive Session for the purpose of hearing a report and recommendations and strategy advice for the management of litigation from its attorney concerning pending litigation entitled "Plaquemines Parish Council vs. William H. Nungesser, 25th JDC, No. 56-045, Division "A"; it being the sense of the Plaquemines Parish Council and its attorney that hearing said reports, recommendations, and advice in open session would have a detrimental effect on the Plaquemines Parish Council's bargaining and litigating position.

The Council resolved itself into Executive Session at 1:20 p.m.

The Council came out of Executive Session at 1:35 p.m. with no final or binding action having been taken during Executive Session.

RESOLUTION NO. 08-326

On motion of Council Member Banta, seconded by Council Member Hodnett, and on roll call all members present and voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby grants a three-day liquor and beer permit to Byron Encalade, President of the "Louisiana Oysterment Association", to sell alcohol at the "Pointe-a-la-Hache Oysterman Festival" which will be held on September 26th, 27th, and 28th, located at the Pointe-a-la-Hache Marina in Pointe-a-la-Hache, Louisiana, 70082.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Sheriff I. F. "Jiff" Hingle and the Plaquemines Parish Health Department as notice of approval of applications for permit.

Council Member Friedman moved to advance to Agenda Item 5, Introduction of Ordinances and Resolutions. Without objections, so ordered.

- a. A Resolution creating a Committee to address the Subdivision and Resubdivision Zoning Ordinance; and otherwise to provide with respect thereto. COUNCIL MEMBER HODNETT
- b. An Ordinance to establish the policy that a two-thirds (2/3) vote of the Plaquemines Parish Council (with at least six (6) members voting affirmatively) shall be required in order to remove money from the Bond Indebtedness Fund; and otherwise to provide with respect thereto. COUNCIL MEMBER HODNETT
- c. An Ordinance to amend the Golf Courses Fund, 2008 Manpower Structure, Golf Course-Port Sulphur Department, personal services line items; and otherwise to provide with respect thereto. COUNCIL MEMBER TURNER
- d. A Resolution authorizing the Plaquemines Parish Community Agency to prepare the necessary application to the Louisiana Department of Labor receiving the Community Services Block Grant Funds for the Program Year 2009 and authorizing the President of the Plaquemines Parish Government to sign and submit said application and contract. COUNCIL MEMBER TURNER
- e. An Ordinance authorizing and directing the Parish President, Billy Nungesser, to remove the PW in the amount of \$600,000.00 dedicated for the Association of Special Needs Citizens' building that was destroyed during Hurricane Katrina from the Port Sulphur Government Building in order that said building can be rebuilt exactly where it was previously located at the Delta Day Center, Nairn, Louisiana; and otherwise to provide with respect thereto. COUNCIL MEMBER TURNER
- f. An Ordinance to amend the Road Maintenance Fund, 2008 Manpower Structure, Maintenance-Public Right-of-Way Maintenance Department, personal services line items; and otherwise to provide with respect thereto. COUNCIL MEMBER FRIEDMAN
- g. A Resolution authorizing and directing the Parish President, Billy Nungesser, to enter into and execute a Purchase Agreement on whatever consideration, conditions and terms he deems necessary, proper and in the best interest of Plaquemines Parish, with White Oak Realty, LLC, and Citrus Realty, LLC, (or present owners) for approximately 6 acres of property located in Nairn, Louisiana for the construction of a community center and family playground designated as Lot C-1 on a sketch of Hugh McCurdy, III, a copy of which is on file with the Council Secretary for the Parish of Plaquemines and the Plaquemines Parish Legal Department, and to obtain an appraisal and title policy if necessary; and otherwise to provide with respect thereto. COUNCIL MEMBER FRIEDMAN
- h. A Resolution to authorize the State Mineral Board of the Department of Natural Resources of the State of Louisiana, to advertise for mineral lease bids, all right, title and interests of the Plaquemines Parish Government, property estimated to contain approximately 166.9912 acres, located in portions of Sections 74, 75, 44 and 45, Township 15 South, Range 24 East, upon the nomination of M & M Energy; and otherwise to provide with respect thereto. COUNCIL MEMBER FRIEDMAN
- i. A Resolution to authorize the State Mineral Board of the Department of Natural Resources of the State of Louisiana, to advertise for mineral lease bids, all right, title and interests of the Plaquemines Parish Government, property estimated to contain approximately 177.10 acres, located in portions of Sections 74 and 45, T15S, R24E, upon the nomination of M & M Energy; and otherwise to provide with respect thereto. COUNCIL MEMBER FRIEDMAN
- j. An Ordinance to amend the General Fund, 2008 Manpower Structure,

Recreation-South Department, personal services line items; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA

- k. An Ordinance to amend the Library Services Fund, 2008 Manpower Structure, Libraries Department, personal services line items; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- l. A Resolution to appoint the members of the Boat Harbor and Marinas Committee of the Plaquemines Parish Council for 2009; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- m. A Resolution appointing the members of the Audit Committee of the Plaquemines Parish Council for 2008 pursuant to Section 7.08 of Article 7 of the Charter for Local Self-Government, Plaquemines Parish, Louisiana; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- n. A Resolution to elect the Vice-Chairman of the Plaquemines Parish Council and to fix the term of office; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- o. A Resolution to elect the Chairman of the Plaquemines Parish Council and to fix the term of office; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- p. A Resolution to form a Committee for the purpose of planning "Plaquemines Parish Day" at the State Legislature; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- q. A Resolution to amend and as amended to appoint the members of the Regional Planning Commission from Plaquemines Parish; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- r. A Resolution to appoint the members of the Drainage Committee of the Plaquemines Parish Council with their terms to expire December 31, 2009; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- s. A Resolution creating a Committee consisting of three (3) Council Members and (3) individuals representing Administration for the purpose of discussing the needs and feasibility of office space and Parish buildings and bringing their findings to the Council for their consideration and assigning of office space pursuant to Section 5.03 of the Charter for Local Self-Government for Plaquemines Parish, Louisiana; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA

Council Member Friedman moved to revert to Agenda Item 3, "Beer and Liquor Licenses". Without objections, so ordered.

RESOLUTION NO. 08-327

On motion of Council Member Hinkley, seconded by Council Member Hodnett, and on roll call all members present and voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby grants a one-day liquor and beer permit to the NASNO Joint Reserve Base, to sell alcohol at the "50th Anniversary Festival" which will be held on October 11, 2008 from 11:00 A.M. to 11:00 P.M., located at the Medal of Honor Park located in Belle Chasse, Louisiana, 70037.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Sheriff I. F. "Jiff" Hingle and the Plaquemines Parish Health Department as notice of approval of applications for permit.

RESOLUTION NO. 08-328

On motion of Council Member Friedman, seconded by Council Member Juneau, and on roll call all members present voting "Yes", except Council Member Hodnett, Present but not Voting, and Council Members Beshel and Cooper, absent, the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following application for construction permits in the Parish of Plaquemines is hereby approved: Swift Energy Operating, LLC, Application No. O-2008-273, dated July 28, 2008, to install valve manifold platform, boat dock, and riser guards, Lake Washington Field; Swift Energy Operating, LLC, Application No. O-2008-276, dated August 1, 2008, to install 6" flowline, Lake Washington Field; Swift Energy Operating, LLC, Application No. O-2008-277, dated August 1, 2008, to install 6" flowlines, Lake Washington Field; Swift Energy Operating, LLC, Application No. O-2008-282, dated August 7, 2008, to install 6" flowlines, Lake Washington Field; Swift Energy Operating, LLC, Application No. O-2008-283, dated August 7, 2008, to install 6" flowline, Lake Washington Field; Swift Energy Operating, LLC, Application No. O-2008-235, dated July 1, 2008, to repair existing 6" flowline in three locations and install new section of 4" flowline, Lake Washington Field; Swift Energy Operating, LLC, Application No. O-2008-284, dated August 7, 2008, to install 6" flowlines, Lake Washington Field.

RESOLUTION NO. 08-329

On motion of Council Member Juneau, seconded by Council Member Banta, and on roll call all members present voting "Yes", except Council Member Friedman, Present but not Voting, and Council Members Beshel and Cooper, absent, the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following application for construction permits in the Parish of Plaquemines is hereby approved: Conoco Phillips Alliance Refinery, Application No. O-2008-294, dated August 20, 2008, to install tanks, pile caps, foundations, 12" piles, excavate and backfilling with concrete and soil, Alliance Refinery.

RESOLUTION NO. 08-330

On motion of Council Member Friedman, seconded by Council Member Hodnett, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following application for construction permits in the Parish of Plaquemines is hereby approved: Williams Oil Gathering, LLC, Application No. O-2007-96, dated April 23, 2007, for remediation of the Williams Mountaineer 20", Breton Sound Area, Block 51; ATP Oil & Gas Corporation, Application No. O-2007-174, dated July 11, 2007, for removal of (3) caisson well protector and (1) production platform, Grand Isle Area; Southern Natural Gas Company, Application No. O-2008-193, dated June 16, 2008, for pipeline maintenance to existing Gate 7- Gate 6 Southern Natural Gas 20" and 26" pipelines, Grand Point Bay & Battleground Bay; Eustis Engineering, Application No. O-2008-208, dated June 17, 2008, to drill one soil boring, Alliance Area; Hilcorp Energy Company, Application No. O-2008-246, dated July 11, 2008, to install 4" and 6" pipeline, South Pass Area; Century Exploration N.O., Inc., Application No. O-2008-271, dated July 28, 2008, to install production platform and walkway, Breton Sound Area, Block 45; Martin-Marks Operating Co. LLC, Application No. O-2008-279, dated August 6, 2008, to install wooden platform, Breton Sound Area; Bepco, L.P., Application No. O-2008-280, dated August 7, 2008, to spray dredging, install pile clusters, drill the Morgan City Well No. 30 and install well protector platform, Pointe-a-la-Hache Field; Bepco, L.P., Application No. O-2008-281, dated August 7, 2008, to spray dredging, install pile clusters, drill the Morgan City Well No. 29 and install well protector platform, Pointe-a-la-Hache Field; Devon Energy Production Company, Application No. O-2008-110, dated April 17, 2008, to plug and abandon S.L. 1353 Well No. 26, remove structure and pipeline, Main Pass Block 69 Field; Devon Energy Production Company, Application No. O-2008-111, dated April 17, 2008, to plug and abandon S.L. 1353 Well No. 6, remove structure and pipeline, Main Pass Block 69 Field.

RESOLUTION NO. 08-331

On motion of Council Member Friedman, seconded by Council Member Juneau, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the following Resolution was adopted:

BE IT RESOLVED by the Plaquemines Parish Council that the following application for construction permits in the Parish of Plaquemines is hereby approved: Swift Energy Operating, LLC, Application No. O-2008-285, dated August 11, 2008, to install pile clusters and shell pad, drill the CM Well LL, install keyway and well head protector, Lake Washington Field.

RESOLUTION NO. 08-332

On motion of Council Member Turner, seconded by Council Member Juneau, and on roll call all members present voting "Yes", except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to MRJ Holdings, LLC for the construction of an agriculture storage building on property located in a FP (Flood Plain) Zoning District at 16920 Hwy. 23, Belle Chasse, Louisiana, all in accordance with Application No. B-2008-857, dated July 29, 2008.

WHEREAS, MRJ Holdings, LLC applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2008-857, dated July 29, 2008) for a permit to construct an agriculture storage building on property located at 16920 Hwy. 23, Belle Chasse, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to MRJ Holdings, LLC for the construction of an agriculture storage building on property located in a FP (Flood Plain) Zoning District at 16920 Hwy. 23, Belle Chasse, Louisiana, all in accordance with Application No. B-2008-857, dated July 29, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-333

On motion of Council Member Banta, seconded by Council Member Buras, and on roll call all members present voting "Yes", except Council Member Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to John W. Stone Oil Distributors, LLC for the placement of an office trailer on property located in a FP (Flood Plain) Zoning District at 149 Stone Road, Venice, Louisiana, all in accordance with Application No. T-2008-687, dated August 4, 2008.

WHEREAS, John W. Stone Oil Distributors, LLC applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. T-2008-687, dated August 4, 2008) for a permit to place an office trailer on property located at 149 Stone Road, Venice, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to John W. Stone Oil Distributors, LLC for the placement of an office trailer on property located in a FP (Flood Plain) Zoning District at 149 Stone Road, Venice, Louisiana, all in accordance with Application No. T-2008-687, dated August 4, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-334

On motion of Council Member Hodnett, seconded by Council Member Hinkley, and on roll call all members present voting “Yes”, except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Martin Nunez for the placement of a manufactured home on property located in an A-2 (Rural or Agricultural) Zoning District at 9135 Hwy. 39, Braithwaite, Louisiana, all in accordance with Application No. T-2008-689, dated August 5, 2008.

WHEREAS, Martin Nunez applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. T-2008-689, dated August 5, 2008) for a permit to place a manufactured home on property located at 9135 Hwy. 39, Braithwaite, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Martin Nunez for the placement of a manufactured home on property located in an A-2 (Rural or Agricultural) Zoning District at 9135 Hwy. 39, Braithwaite, Louisiana, all in accordance with Application No. T-2008-689, dated August 5, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-335

On motion of Council Member Turner, seconded by Council Member Juneau, and on roll call all members present voting “Yes”, except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Kendra Sylve for the construction of a storage shed on property located in a FP (Flood Plain) Zoning District at 132 Morris Lane, Port Sulphur, Louisiana, all in accordance with Application No. B-2008-896, dated August 8, 2008.

WHEREAS, Kendra Sylve applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2008-896, dated August 8, 2008) for a permit to construct a storage shed on property located at 132 Morris Lane, Port Sulphur, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Kendra Sylve for the construction of a storage shed on property located in a FP (Flood Plain) Zoning District at 132 Morris Lane, Port Sulphur, Louisiana, all in accordance with Application No. B-2008-896, dated August 8, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-336

On motion of Council Member Turner, seconded by Council Member Juneau, and on roll call all members present voting "Yes", except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Kendra Sylve for the construction of an open deck on property located in a FP (Flood Plain) Zoning District at 132 Morris Lane, Port Sulphur, Louisiana, all in accordance with Application No. B-2008-895, dated August 8, 2008.

WHEREAS, Kendra Sylve applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2008-895, dated August 8, 2008) for a permit to construct an open deck on property located at 132 Morris Lane, Port Sulphur, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Kendra Sylve for the construction of an open deck on property located in a FP (Flood Plain) Zoning District at 132 Morris Lane, Port Sulphur, Louisiana, all in accordance with Application No. B-2008-895, dated August 8, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-337

On motion of Council Member Turner, seconded by Council Member Juneau, and on roll call all members present voting "Yes", except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Coastal Cottages for the construction of a new residence on property located in a FP (Flood Plain) Zoning District at 121 Pintail Lane, Port Sulphur, Louisiana, all in accordance with Application No. B-2008-900, dated August 11, 2008.

WHEREAS, Coastal Cottages applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2008-900, dated August 11, 2008) for a permit to construct a new residence on property located at 121 Pintail Lane, Port Sulphur, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Coastal Cottages for the construction of a new residence on property located in a FP (Flood Plain) Zoning District at 121 Pintail Lane, Port Sulphur, Louisiana, all in accordance with Application No. B-2008-900, dated August 11, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-338

On motion of Council Member Banta, seconded by Council Member Buras, and on roll call all members present voting "Yes", except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Timothy D. Johnson for the construction of a camp on property located in a FP (Flood Plain) Zoning District at 199 Hoist Road, Venice, Louisiana, all in accordance with Application No. B-2008-915, dated August 14, 2008.

WHEREAS, Timothy D. Johnson applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2008-915, dated August 14, 2008) for a permit to construct a camp on property located at 199 Hoist Road, Venice, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Timothy D. Johnson for the construction of a camp on property located in a FP (Flood Plain) Zoning District at 199 Hoist Road, Venice, Louisiana, all in accordance with Application No. B-2008-915, dated August 14, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 08-339

On motion of Council Member Banta, seconded by Council Member Juneau, and on roll call all members present voting “Yes”, except Council Members Beshel, and Cooper, absent, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Halliburton for the construction of the foundation phase only for a commercial building on property located in a FP (Flood Plain) Zoning District at 413 Coast Guard Road, Venice, Louisiana, all in accordance with Application No. B-2008-937, dated August 21, 2008.

WHEREAS, Halliburton applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2008-937, dated August 21, 2008) for a permit to construct the foundation phase only for a commercial building on property located at 413 Coast Guard Road, Venice, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Halliburton for the construction of the foundation phase only for a commercial building on property located in a FP (Flood Plain) Zoning District at 413 Coast Guard Road, Venice, Louisiana, all in accordance with Application No. B-2008-937, dated August 21, 2008.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Friedman moved to advance to Agenda Item 6-j, “An Ordinance to amend Plaquemines Parish Government’s General, Special Revenue, Capital Improvement and Enterprise Funds’ 2008 Operating Revenue and Expenditure Budgets as approved by the Parish Council during the 2008 Mid-Year Budget Review; and otherwise to provide with respect thereto”. Without objections, so ordered.

ORDINANCE NO.

The following Ordinance was offered by Council Member Hodnett who moved its adoption:

An Ordinance to amend Plaquemines Parish Government’s General, Special Revenue, Capital Improvement and Enterprise Funds’ 2008 Operating Revenue and Expenditure Budgets as approved by the Parish Council during the 2008 Mid-Year Budget Review; and otherwise to provide with respect thereto.

WHEREAS, the 2008 Mid-Year Budget Review has resulted in various amendments approved by the Parish Council for the General, Special Revenue, Capital Improvement and Enterprise Funds' 2008 Operating Revenue and Expenditure Budgets;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends Plaquemines Parish Government's General, Special Revenue, Capital Improvement and Enterprise Funds' 2008 Operating Revenue and Expenditure Budgets in accordance with the amendments approved by the Parish Council at the 2008 Mid-Year Budget Review.

SECTION 2

If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Council Member Juneau seconded the motion to adopt the Ordinance.

Council Member Hodnett offered a substitute to the proposed Ordinance.

ORDINANCE NO. 08-203

The following Ordinance was offered by Council Member Hodnett who moved its adoption:

An Ordinance to amend Plaquemines Parish Government's General, Special Revenue, Capital Improvement and Enterprise Funds' 2008 Operating Revenue and Expenditure Budgets as approved by the Parish Council during the 2008 Mid-Year Budget Review; and otherwise to provide with respect thereto.

WHEREAS, the 2008 Mid-Year Budget Review has resulted in various amendments approved by the Parish Council for the General, Special Revenue, Capital Improvement and Enterprise Funds' 2008 Operating Revenue and Expenditure Budgets;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends Plaquemines Parish Government's General, Special Revenue, Capital Improvement and Enterprise Funds' 2008 Operating Revenue and Expenditure Budgets in accordance with the amendments approved by the Parish Council at the 2008 Mid-Year Budget Review; revenue amendments total increase of \$14,062,000 and expenditure amendments total increase of \$7,004,595.

SECTION 2

It hereby authorizes amendments to the Fund Balance Designations as follows:

General Fund Designated for Emergencies	\$ 1,700,000
General Fund Designated for Bond Indebtedness	\$ 3,820,000
General Fund Designated for Sewer Projects	\$ 772,403

General Fund Designated for Infrastructure	\$	76,000
Port Harbor Fund Designated for Land Purchase	\$	72,000

SECTION 3

It hereby authorizes amendments to the 2008 Manpower Table as follows:

Adding the following positions:

Public Awareness Department, Information Technology Analyst
Recreation South Department, Groundskeeper
Engineering and Public Works Department, Scanning Clerk

Deleting the following positions:

Finance Department, Clerk II Position
Engineering and Public Works Department, Draftsperson
Water Quality Department, Lab Technician

SECTION 4

If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 5

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Juneau seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Keith Hinkley, Jerry Hodnett, Irvin Juneau, Anthony L. Buras, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Don Beshel, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28th day of August, 2008.

ORDINANCE NO. 08-204

The following Ordinance was offered by Council Member Hodnett who moved its adoption:

An Ordinance to amend the Plaquemines Parish Government's 2008 Five-Year Capital Improvement Budget, as approved by the Parish Council during the 2008 Mid-Year Budget Review; and otherwise to provide with respect thereto.

WHEREAS, the 2008 Mid-Year Budget Review has resulted in various amendments approved by the Parish Council for the 2008 Five-Year Capital Improvement Budget;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends the Plaquemines Parish Government 2008 Five-Year Capital Improvement Budget in accordance with the amendments approved by the Parish Council at the 2008 Mid-Year Budget Review.

SECTION 2

If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Juneau seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Keith Hinkley, Jerry Hodnett, Irvin Juneau, Anthony L. Buras, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Member Don Beshel, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28th day of August, 2008.

ORDINANCE NO. 08-205

The following Ordinance was offered by Council Member Friedman who moved its adoption:

An Ordinance to amend the Five-Year Capital Improvements Plan for the Baptiste Collette Deepening Project; and otherwise to provide with respect thereto.

WHEREAS, a Cooperative Endeavor Agreement has been entered into between the State of Louisiana, Department of Transportation and Development and Plaquemines Parish Government; and

WHEREAS, pursuant to Section 203 of the Water Resources Development Act of 1986 (Public Law 99-662, as amended) the Parish will conduct a feasibility study for carrying out the Baptiste Collette Deepening Project and the Department of Transportation and Development will administer funds for the feasibility study; and

WHEREAS, Act 28 of the 2007 Regular Session of the Louisiana Legislature includes an appropriation of \$3,000,000 for a feasibility study for this project payable from Priority 2 General Obligation Bonds in the amount of \$2,000,000 and a Priority 5 appropriation in the amount of \$1,000,000 for the feasibility study; and

WHEREAS, amending the Five-Year Capital Improvements Plan by appropriating \$3,000,000 to the Baptiste Collette Deepening Project, funding provided by the State of Louisiana, Department of Transportation and Development Grant is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating \$3,000,000 to the Baptiste Collette Deepening Project; funding source, State of Louisiana, Department of Transportation and Development Grant; funding year, 2008.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Buras seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Keith Hinkley, Jerry Hodnett, Irvin Juneau, Anthony L. Buras, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Don Beshel, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28th day of August, 2008.

ORDINANCE NO. 08-206

The following Ordinance was offered by Council Member Turner who moved its adoption:

An Ordinance to amend the Five-Year Capital Improvements Plan for the Corps of Engineers Levee Setback Contract P13 (Port Sulphur) Water & Sewer Utility Relocation Project; and otherwise to provide with respect thereto.

WHEREAS, a 100% cost reimbursement agreement has been entered into between the U.S. Corps of Engineers and Plaquemines Parish Government for the Corps of Engineers Levee Setback P13 (Port Sulphur) Water & Sewer Utility Relocation Project; and

WHEREAS, amending the Five-Year Capital Improvements Plan by appropriating \$115,000 for the Corps of Engineers Levee Setback Contract P13 (Port Sulphur) Water & Sewer Utility Relocation Project, funding provided by the U.S. Corps of Engineers is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five-Year Capital Improvements Plan is amended by appropriating \$115,000 for the Corps of Engineers Levee Setback Contract P13 (Port Sulphur) Water & Sewer Utility Relocation Project; funding source, U.S. Corps of Engineers; funding year 2008.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Friedman seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Keith Hinkley, Jerry Hodnett, Irvin Juneau, Anthony L. Buras, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Don Beshel, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 28th day of August, 2008.

The meeting of the Plaquemines Parish Council, sole governing authority of the Port, Harbor and Terminal District scheduled for today at 2:30 p.m. or immediately following the Council Meeting is CANCELED.

There being no further business to come before this Council, on motion of Council Member Friedman, seconded by Council Member Hinkley, and on roll call all members present voting "Yes", except Council Members Beshel and Cooper, absent, the meeting adjourned at 2:00 p.m.

Chairman

Secretary