

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, July 23, 2009, at 1:35 p.m. pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Lynda G. Banta, Chairman
Council Member Don Beshel, Vice-Chairman
Council Member Keith Hinkley
Council Member Jerry Hodnett
Council Member Stuart J. Guey
Council Member Burghart Turner
Council Member John J. Friedman
Council Member Marla Cooper

Melissa P. LeBlanc, Secretary

ABSENT: Council Member Anthony L. Buras, Jr.

Mr. Billy Nungesser, Parish President, is present representing Administration.

The Pledge of Allegiance was led by Senator David Heitmeier.

Council Member Banta moved to advance to Agenda Item 4a-1, "A Proclamation declaring July 23, 2009, as **"Senator A. G. Crowe and Senator David Heitmeier Day"** in the Parish of Plaquemines; and otherwise to provide with respect thereto". Without objections, so ordered.

PROCLAMATION

On motion of Council Member Hodnett, seconded by All Council Members, and on roll call all members present voting "Yes", except Council Member Buras, absent, the following Proclamation was adopted:

A Proclamation declaring July 23, 2009, as **"Senator A. G. Crowe and Senator David Heitmeier Day"** in the Parish of Plaquemines; and otherwise to provide with respect thereto.

WHEREAS, once again during the Legislative Session, Plaquemines Parish faced "consolidation" or so called "joint jurisdiction" of our Port, Harbor and Terminal District with the Port of New Orleans; and

WHEREAS, the Plaquemines Parish Council fought endlessly against this monster which was given the name "House Bill 779"; and

WHEREAS, Senator A. G. Crowe and Senator David Heitmeier responded to the plight of Plaquemines Parish by offering their personal assistance, individually and collectively, often at considerable sacrifice; and

WHEREAS, the Plaquemines Parish Council would like to applaud and commend the actions of Senator A. G. Crowe and Senator David Heitmeier for their assistance to the Plaquemines Port, Harbor and Terminal District, as well as the citizens of Plaquemines Parish;

NOW, THEREFORE:

BE IT PROCLAIMED by the Plaquemines Parish Council represented by its duly authorized Chairman, Lynda G. Banta, that it hereby declares July 23, 2009, as

"Senator A. G. Crowe and Senator David Heitmeier Day"

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 Banta moved to revert to Agenda Item 1b, "Status Report by the Parish President". Without objections, so ordered.

RESOLUTION NO. 09-244

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

A Resolution authorizing the acceptance of bids for furnishing ULV oil in bulk for a period of one year for use by the Mosquito Control Department.

WHEREAS, after due advertisement bids were received on July 7, 2009, for furnishing ULV oil in bulk for a period of one year for use by the Mosquito Control Department as follows: Adapco Inc., 550 Aero Lane, Sanford, FL 32771-6342, all bids on file in the Parish Purchasing Agent's Office and made a part hereof by reference; and

WHEREAS, Ms. Janice Acosta, Director of Administration, and Mr. Chris Denney, Mosquito Control, recommends the acceptance of the only bid of Adapco, Inc., and the Council concurred in said recommendation;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Purchasing Agent, to issue purchase orders, on an as needed basis, to Adapco Inc., 550 Aero Lane, Sanford, FL 32771, for the purchase of ULV oil in bulk, for use by the Mosquito Control, all in accordance with bid submitted by said vendor on July 7, 2009, on file in the Parish Purchasing Agent's Office.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Billy Nungesser, Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Adapco Inc., for furnishing ULV oil in bulk, for a period of one year, beginning July 23, 2009 through July 22, 2010.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby authorizes its Parish Fiscal Officers to issue check in payment of chemicals 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 Banta moved to advance to Agenda Item 7-j, Discussion regarding junk stacked on Griffin Land". Without objections, so ordered.

RESOLUTION NO. 09-245

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

BE IT RESOLVED by the Plaquemines Parish Council that the following application for permit to engage in the sale of liquor and/or beer only in the Parish of Plaquemines for the year 2009 is hereby approved: Cypress Cove Marina, Inc., P.O. Box 34, Belle Chasse, Louisiana, 70037, "Cypress Cove Marina", 235 Cypress Cove Road, Venice, Louisiana, 70091, retail saloon-liquor.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that it hereby grants a three-day liquor and beer permit to The Deep Delta Lodge # 27 of the Fraternal Order of Police, to sell alcohol at the Empire South Pass Tarpon Rodeo which will be held on

August 13th, 14th, and 15th, 2009, located at the Empire Shipyard located on 317 Rose Marie Drive, Empire, Louisiana, 70050.

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 application for permit.

RESOLUTION NO. 09-246

On motion of Council Member Cooper, seconded by Council Member Banta, and on roll call all members present voting "Yes", except Council Member Buras, 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: Helis Oil & Gas Company, L.L.C., Application No. O-2008-366, dated November 17, 2008, for after-the-fact emergency remediation and restoration operations, Stone Island & Black Bay Area; Jacob Kansas, Application No. O-2008-379, dated December 11, 2008, to replace piles and boat shed, 201 Harlem Lane, Phoenix; Fredrick Edgcombe, Application No. O-2009-125, dated June 10, 2009, to install pillings, boat shed and deck, 324 Myrtle Grove Road, Myrtle Grove; Dune Operating Company, Application No. O-2009-131, dated June 25, 2009, to install flare stack and 3" flare line, Garden Island Bay Field; Helis Oil & Gas Company, L.L.C., Application No. O-2009-134, dated June 26, 2009, to install 2" gas lift line, North Black Bay Field; Helis Oil & Gas Company, L.L.C., Application No. O-2009-135, dated June 26, 2009, to repair two existing flowlines, East Black Bay Field; Helis Oil & Gas Company, L.L.C., Application No. O-2009-136, dated June 26, 2009, to repair two existing flowlines, West Black Bay Field; Hilcorp Energy Company, Application No. O-2009-137, dated June 26, 2009, for prop-wash channel and slip, install pile clusters, re-enter and sidetrack the LL&E Fee Well No. 17, install well head protector and lower exiting pipelines, Lake Washington Field; ExxonMobil Pipeline Company, Application No. O-2009-139, dated June 29, 2009, to excavate at fifty-one sites and make sixty-eight repair to an existing 12" pipeline, Baratara Bay Area to Ferrand Bay Area; Helis Oil & Gas Company, L.L.C., Application No. O-2009-144, dated July 8, 2009, for jetting around two existing suction caissons, Black Bay Field.

RESOLUTION NO. 09-247

On motion of Council Member Cooper, seconded by Council Member Banta, and on roll call all members present voting "Yes", except Council Member Buras, 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: Citrus Realty, LLC & White Oak Realty, LLC, Application No. O-2009-83, dated April 22, 2009, to excavate borrow pit, Sarah & Idlewild Plantations, Oakville.

Council Member Banta move to consider in globo Agenda Items 4-b through 4-e. Without objections, so ordered.

RESOLUTION NO. 09-248

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

A Resolution approving the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#1) on property located in a FP (Flood Plain) Zoning District at 192 Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-280, dated June 8, 2009.

WHEREAS, Yellow Cotton Marina, LLC, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. T-2009-280, dated June 8, 2009) for the placement of a travel trailer space (#1) on property located at 192 Duvic Pump Road, Boothville, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#1) on property located in a FP (Flood Plain) Zoning District at 192 Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-280, dated June 8, 2009.

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. 09-249

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

A Resolution approving the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#2) on property located in a FP (Flood Plain) Zoning District at 192-A Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-281, dated June 8, 2009.

WHEREAS, Yellow Cotton Marina, LLC, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. T-2009-281, dated June 8, 2009) for the placement of a travel trailer space (#2) on property located at 192-A Duvic Pump Road, Boothville, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#2) on property located in a FP (Flood Plain) Zoning District at 192-A Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-281, dated June 8, 2009.

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. 09-250

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

A Resolution approving the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#3) on property located in a FP (Flood Plain) Zoning District at 192-B Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-282, dated June 8, 2009.

WHEREAS, Yellow Cotton Marina, LLC, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. T-2009-282, dated June 8, 2009) for the placement of a travel trailer space (#3) on property located at 192-B Duvic Pump Road, Boothville, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#3) on property located in a FP (Flood Plain) Zoning District at 192-B Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-282, dated June 8, 2009.

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. 09-251

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

A Resolution approving the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#4) on property located in a FP (Flood Plain) Zoning District at 192-C Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-283, dated June 8, 2009.

WHEREAS, Yellow Cotton Marina, LLC, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. T-2009-283, dated June 8, 2009) for the placement of a travel trailer space (#4) on property located at 192-C Duvic Pump Road, Boothville, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Yellow Cotton Marina, LLC, for the placement of a travel trailer space (#4) on property located in a FP (Flood Plain) Zoning District at 192-C Duvic Pump Road, Boothville, Louisiana, all in accordance with Application No. T-2009-283, dated June 8, 2009.

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. 09-252

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

A Resolution approving the issuance of a special permit to Charles and Kimberly Dove for the construction of a new residence on property located in a FP (Flood Plain) Zoning District at 21884 Hwy. 23, Port Sulphur, Louisiana, all in accordance with Application No. B-2009-400, dated July 6, 2009.

WHEREAS, Charles and Kimberly Dove applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. B-2009-400, dated July 6, 2009) for a permit to construct a new residence on property located at 21884 Hwy. 23, Port Sulphur, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the issuance of a special permit to Charles and Kimberly Dove for the construction of a new residence on property located in a FP (Flood Plain) Zoning District at 21884 Hwy. 23, Port Sulphur, Louisiana, all in accordance with Application No. B-2009-400, dated July 6, 2009.

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.

Introductions of Ordinances and Resolutions.

- a. An Ordinance authorizing the Parish President, William H. Nungesser, to give temporary permits for the placement of temporary trailers; to be removed thirty days after the construction is complete in District 5; and otherwise to provide with respect thereto. COUNCIL MEMBER HINKLEY
- b. A Resolution indicating the intention of the Parish of Plaquemines, State of Louisiana to proceed with a not to exceed \$40,000,000 financing through the Louisiana Local Government Environmental Facilities and Community Development Authority; and otherwise to providing with respect thereto as provided by Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended. COUNCIL MEMBER HINKLEY
- c. A Resolution granting permission to and urging the United States Army Corps of Engineers to work as needed on a seven day per week, twenty-four hour per day basis to expedite all work to "Fronting Protection" Planters Pump Station Belle Chasse #2 and Barriere Road Pump Station Belle Chasse #1; and otherwise to provide with respect thereto. COUNCIL MEMBER HINKLEY
- d. An Ordinance to increase the compensation of the Council Members for the Plaquemines Parish Government from \$28,100.00 per year to \$35,000.00 per year, effective January 1, 2011; and otherwise to provide with respect thereto. COUNCIL MEMBER HODNETT
- e. An Ordinance to increase the compensation of the Parish President for the Plaquemines Parish Government from \$72,000.00 per year to \$100,000.00 per year, effective January 1, 2011; and otherwise to provide with respect thereto. COUNCIL MEMBER HODNETT
- f. A Resolution providing for conditional approval for the expansion of the Southern Oak Mobile Home Community on East Third Avenue, Belle Chasse, Plaquemines Parish, Louisiana, as shown on the plans by Dufrene Surveying & Engineering, Inc., dated August 22, 2008, revised October 8, 2008, November 6, 2008, March 18, 2009, May 13, 2009, and June 29, 2009, without any cost to the Plaquemines Parish Government of the Parish of Plaquemines. COUNCIL MEMBER GUEY
- g. An Ordinance to prohibit any vehicle which has a gross vehicle weight exceeding 10,000 pounds on Ballay Drive and Omega Street, Belle Chasse, Louisiana; to establish a penalty therefore; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY
- h. An Ordinance to rescind, annul and set aside Ordinance No. 09-147, adopted July 9, 2009, to appropriate funds to various projects from Disaster Recovery Funds through a Louisiana Community Development Block Grant (CDBG); and otherwise to provide with respect thereto. COUNCIL MEMBER TURNER
- i. An Ordinance authorizing the establishment and funding of a Fund Balance Designation for Disaster Recovery Funds through a Louisiana Community Development Block Grant (CDBG); and otherwise to provide with respect thereto. COUNCIL MEMBER TURNER
- j. A Resolution to replace a member of the Coastal Zone Management Advisory Committee; and otherwise to provide with respect thereto. COUNCIL MEMBER FRIEDMAN

- k. An Ordinance approving a plan of subdivision of the property of Rene P. Cross and John C. Johnson, into three (3) tracts of land situated in Section 1, Township 20 South, Range 28 East, in the Community of Empire, Plaquemines Parish, Louisiana, and designated as Lots 3B1A, 6B1 and 6B2, fronting on Louisiana State Highway 23 and the Empire Navigation Canal, as shown on the plan of resubdivision by Hugh McCurdy, III, Surveyor, dated February 5, 2009 and amended June 23, 2009, the owners having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without cost to the Plaquemines Parish Government or the Parish of Plaquemines. COUNCIL MEMBER FRIEDMAN
- l. An Ordinance to amend the General Fund 2009 Operating Revenue and Expenditure Budgets for the Plaquemines Parish - Establish Household Hazardous Material Disposal Project (HHM); and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- m. An Ordinance authorizing and directing the Parish President, William H. Nungesser, to sign and execute a contract with BellSouth Telecommunications, Inc. d/b/a AT&T Louisiana to provide IP Video Services parish wide; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- n. A Resolution establishing the dates, times and places of Budget Review on the 2009 Operating Budget and on the proposed Capital Improvements Budget covering a period of at least five years as submitted by the Parish President; to authorize the Council Secretary to place the necessary Public Notice in the Plaquemines Gazette; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA
- o. An Ordinance approving a plan of subdivision of original Lot 12 & ½ of Lot 13 of the property of Anthony Bazile, et al, Braithwaite, Plaquemines Parish, Louisiana, into Lots 12-M, 12-N, and 12-O, as shown on the plan of resubdivision by Don A. Garland, Registered Land Surveyor, dated May 22, 2009, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without cost to the Plaquemines Parish Government or the Parish of Plaquemines. COUNCIL MEMBER BESHEL
- p. An Ordinance to amend the Public Health Fund, 2009 Operating Expenditure Budget, Health Department, line item Professional Services; and otherwise to provide with respect thereto. COUNCIL MEMBER BESHEL
- q. An Ordinance to appropriate the sum of \$175,000.00 for the Levee Improvement - Braithwaite to White Ditch Back Levee Project; and otherwise to provide with respect thereto. COUNCIL MEMBER BESHEL
- r. A Resolution to authorize the Plaquemines Parish Government Mineral Office upon approval by the Parish President to advertise and accept bids pursuant to provisions of La. R.S. 41:1211 et seq. For leasing parish owned lands for preservation and conservation purposes when applications are received by the Mineral Office from persons desiring to lease parish owned lands for hunting, fishing, recreation and trapping purposes with the objective of preserving and conserving the lands using conservation practices approved by Plaquemines Parish Government as lessor. COUNCIL MEMBER BESHEL
- s. An Ordinance to amend and, as amended, readopt the provisions of Section 18-1(6) and 18-1(8) of Chapter 18 of the Code of Ordinances; to define the term "last use"; to provide for the procedure and timing of the posting of the Performance Bond and the Surety Bond; and otherwise to provide with respect thereto. COUNCIL MEMBER BESHEL

ORDINANCE NO.

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

An Ordinance approving a plan of resubdivision of the property of Berkley Properties, LLC, Plaquemines Parish, Louisiana, as shown on the Map of Resubdivision, Remaining Portion of Tract 24C, South of Harvey Boulevard, Belle Chasse, La., by Hugh McCurdy, III, P.L.S., dated February 13, 2009, amended May 12, 2009, the owners having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines without cost to the Plaquemines Parish Government or the Parish of Plaquemines.

WHEREAS, Berkley Properties, LLC, as owner of property situated in the Parish of Plaquemines, State of Louisiana, as shown on the Map of Resubdivision, Remaining Portion of Tract 24C, South of Harvey Boulevard, Belle Chasse, La., by Hugh McCurdy, III, P.L.S., dated February 13, 2009, amended May 12, 2009, a copy whereof is annexed hereto and made part hereof; and

WHEREAS, Berkley Properties, LLC, as owner of said property have proposed the resubdivision of the said property into Lots 1 through 5 inclusive as more fully shown on said map; and

WHEREAS, all streets, utilities, drainage structures and other improvements shown on the aforementioned map of survey are in place, with the appropriate water lines and fire fighting protection installed at the applicant's expense, and the appropriate privately owned/operated sewer treatment system installed at the applicant's expense, as per Plaquemines Parish Government specifications;

NOW, THEREFORE:

BE IT ORDAINED by the Plaquemines Parish Council for the Parish of Plaquemines, Louisiana, that the aforesaid Map of Resubdivision, Remaining Portion of Tract 24C, South of Harvey Boulevard, Belle Chasse, La., Plaquemines Parish, La., into Lots 1 through 5 inclusive by Hugh McCurdy, III, P.L.S., dated February 13, 2009, amended May 12, 2009, a copy of whereof is annexed hereto and made a part hereof, be approved, with the appropriate water lines and fire fighting protection installed at the applicant's expense, and the appropriate privately owned/operated sewer treatment system installed at the applicant's expense, as per Plaquemines Parish Government specifications and that the approval of the Parish President, Directors and all appropriate Parish department heads of the aforesaid map of survey be ratified.

BE IT FURTHER ORDAINED by the Plaquemines Parish Council of the Parish of Plaquemines, Louisiana, that the Parish President be and is hereby authorized to execute any and all acts and documents necessary and proper in the premises to give full force and effect to the aforesaid Ordinance.

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

Council Member Hinkley seconded the motion to adopt the Ordinance.

Council Member Buras moved to defer the proposed Ordinance.

ORDINANCE NO.

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

An Ordinance to amend the Sewer System Improvements Parishwide Fund Capital Improvements Budget; and otherwise to provide with respect thereto.

WHEREAS, a transfer of \$2,257,830 from the Rehabilitation-Boothville/Buras Waste Water Treatment Plant Project to the Rehabilitation-Belle Chasse Waste Water Treatment Plant Project is requested; and

WHEREAS, the Federal Emergency Management Agency (FEMA) is the funding

source for these Hurricane Katrina related projects; and

WHEREAS, the Federal Emergency Management Agency will reimburse expenditures related to the Rehabilitation of the Boothville/Buras Waste Water Treatment Plant;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Sewer System Improvements Parishwide Fund 2009 Budget is amended by transferring \$2,257,830 from the Rehabilitation-Boothville/Buras Waste Water Treatment Plant Project to the Rehabilitation-Belle Chasse Waste Water Treatment Plant Project.

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

Council Member Guey seconded the motion to adopt the Ordinance.

Council Member Hodnett moved to defer the proposed Ordinance.

Council Member Banta moved to advance to Agenda Item 6-dd, "An Ordinance to approve the amended Rule IX, Hours of Work, Leaves of Absence and Absence Without Leave, Section 2, Annual Leave, Paragraph 2.3 and Section 10 Leave Without Pay of the Plaquemines Parish Civil Service Commission Rules; and otherwise to provide with respect thereto". Without objections, so ordered.

ORDINANCE NO. 09-165

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

An Ordinance to approve the amended Rule IX, Hours of Work, Leaves of Absence and Absence Without Leave, Section 2, Annual Leave, Paragraph 2.3 and Section 10 Leave Without Pay of the Plaquemines Parish Civil Service Commission Rules; and otherwise to provide with respect thereto.

WHEREAS, our Homeland Security Manager resigned; and

WHEREAS, the Parish President, offered this unclassified position to a classified employee; and

WHEREAS, the classified employee accepted the position on an interim bases and was granted a Special Leave of Absence Without Pay from their classified position; and

WHEREAS, in the transferring of the classified employee to the unclassified position of Homeland Security Manager, problems were discovered with handling the employees' accrued Annual Leave; and

WHEREAS, to correct this problem the Director proposed the following changes to Civil Service Rule IX for the Civil Service Commission to consider. The changes are to add language to Rule IX, Section 2, Annual Leave, paragraph 2.3 to provide a method of handling the employee's accumulated leave.

The proposed language is as follows:

- b) *when the employee takes a Special Leave of Absence Without Pay to accept an appointment to an unclassified position, without a break in service, or with a break in service not in excess of one full bi-weekly pay period, all unused annual leave accrued to such employee's credit shall remain to his/her credit when she/he begins service in the new*

position and the employee shall receive continuous service credit for purposes of determining the rate of Annual Leave accruals, or;

- c) *if an unclassified Parish employee resigns to accept an appointment in the classified service, without a break in service, or with a break in service not in excess of one full bi-weekly pay period, all unused annual leave accrued to such employee's credit shall remain to his/her credit when she/he begins service in the classified position and the employee shall receive continuous service credit for purposes of determining the rate of Annual Leave accruals.*

And, to modify the language and to make Special Leave of Absence Without Pay a separate section of Rule IX, and to renumber the following sections of Rule IX.

SECTION 11. Special Leave of Absence Without Pay.

The Appointing Authority may grant a regular full-time employee special leave of absence without pay for the purpose of enabling the employee to accept an unclassified position in the Parish service, except an elective office.

The special leave of absence without pay herein authorized shall not exceed six (6) months when approved by the Appointing Authority. Any employee who fails to return to his/her classified position at the expiration of the special leave of absence without pay may be terminated from their classified position.

WHEREAS, after careful consideration, the Civil Service Commission at its meeting on June 30, 2009, amended Rule IX, Hours of Work, Leaves of Absence and Absence Without Leave, Section 2, Annual Leave, Paragraph 2.3 and Section 10 Leave Without Pay, and to renumber the following sections in Rule IX as stated above.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby approves the amended Rule IX, Section 2 paragraph 2.3, Section 10 and the renumbering of the sections of Rule IX:

- b. when the employee takes a Special Leave of Absence Without Pay to accept an appointment to an unclassified position, without a break in service, or with a break in service not in excess of one full bi-weekly pay period, all unused annual leave accrued to such employee's credit shall remain to his/her credit when she/he begins service in the new position and the employee shall receive continuous service credit for purposes of determining the rate of Annual Leave accruals, or;
- c. if an unclassified Parish employee resigns to accept an appointment in the classified service, without a break in service, or with a break in service not in excess of one full bi-weekly pay period, all unused annual leave accrued to such employee's credit shall remain to his/her credit when she/he begins service in the classified position and the employee shall receive continuous service credit for purposes of determining the rate of Annual Leave accruals.

SECTION 11. Special Leave of Absence Without Pay.

The Appointing Authority may grant a regular full-time employee special leave of absence without pay for the purpose of enabling the employee to accept an unclassified position in the Parish service, except an elective office. The special leave of absence without pay herein authorized shall not exceed six (6) months when approved by the Appointing Authority. Any employee who fails to return to his/her

classified position at the expiration of the special leave of absence without pay may be terminated from their classified position.

SECTION 2

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 Guey seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, John J. Friedman, Lynda G. Banta and Marla Cooper
NAYS: None
ABSENT: Council Members Anthony L. Buras and Burghart Turner
PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-166

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

An Ordinance to amend and as amended to readopt Chapter 20, Section 20-6, (15)d and (23)c of the Code of Ordinances for the Parish of Plaquemines relative to Subdivisions; and otherwise to provide with respect thereto.

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends and as amended readopts Chapter 20, Section 20-6, (15)d of the Code of Ordinances as follows:

- “d. For gated subdivisions having private streets, the minimum lot frontage shall be seventy-five (75) feet measured along the setback line except for lots fronting on a cul-de-sac as provided in subparagraph c above. If a subdivision is approved with the minimum lot frontage of less than seventy-five (75) feet measured along the setback line except for lots fronting on cul-de-sac’s as provided in subparagraph c above, a variance shall not be requested or allowed for a gated community”.

SECTION 2

It hereby amends and as amended readopts Chapter 20, Section 20-6, (23)c of the Code of Ordinances as follows:

- “c. For private streets, there shall be a turning loop having a minimum inside turning radius of thirty (30) feet to accommodate emergency service vehicles turnaround”.

SECTION 2

All other sections, clauses, paragraphs and provisions of Chapter 20, shall remain the same and in effect.

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 Banta seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, John J. Friedman, Lynda G. Banta and Marla Cooper
NAYS: None
ABSENT: Council Members Anthony L. Buras and Burghart Turner
PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-167

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

An Ordinance to prohibit any vehicle which has a gross vehicle weight exceeding 10,000 pounds on Carrol Lane, Empire, Louisiana; to establish a penalty therefore; and otherwise to provide with respect thereto.

WHEREAS, there has been an increase in trucks, truck trailers and other heavy vehicles on the above mentioned street in the community of Empire, Louisiana, which is damaging the street; and

WHEREAS, the residents of the above mentioned street are concerned for the safety of the community;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby prohibits any vehicle which has a gross weight exceeding 10,000 pounds on Carrol Lane, Empire, Louisiana, except for Parish garbage or trash trucks, school buses, emergency vehicles or vehicles providing services to residents during appropriate business hours, located in the community of Belle Chasse, Louisiana, and request the Parish Administration post the necessary signs.

SECTION 2

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 Cooper seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, John J. Friedman, Lynda G. Banta and Marla Cooper
NAYS: None
ABSENT: Council Members Anthony L. Buras and Burghart Turner
PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-168

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

An Ordinance to prohibit animals in the water park area of Roger Halphen Field, Leroy Harvey Park, and the Davant Park, to have signs erected in the area referencing this Ordinance under the direction of the Director of Public Service; and otherwise to provide with respect thereto.

WHEREAS, in an effort to provide for the health and safety of the patrons of Roger Halphen Field, Leroy Harvey Park, and the Davant Park, and to provide a sanitary environment, the Parish Council believes it is necessary to prohibit animals in the water park area;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

All animals, excluding any animals trained in providing services to a handicapped individual, are prohibited in the water park area of Roger Halphen Field, Leroy Harvey Park, and the Davant Park.

SECTION 2

Any person violating the provisions of this Ordinance shall be fined not more than fifty dollars (\$50.00) or imprisoned for not more than fifteen (15) days in the parish jail or both fined and imprisoned at the discretion of the court.

SECTION 3

Signs referencing this Ordinance will be erected under the direction of the Director of Public Service.

SECTION 4

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 Cooper seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, Lynda G. Banta and Marla Coope

NAYS: None

ABSENT: Council Member Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-169

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

An Ordinance to authorize and approve a Pipeline Right-of-Way Agreement with Harvest Oil & Gas, LLC, for one-four (4") inch pipeline being 1,608 linear feet or 97.45 rods in length under, over and across Parish-owned properties beginning in Section 06, Township 20 South, Range 19 East; and ending in Section 55, Township 20 South, Range 18 East, to transport salt water from various wells located in the Grand Bay Field to the GPLD "A" SWD No. 2 Well in Grand Bay Field, Grand Prairie Levee District; to authorize the Parish President to execute the Pipeline Right-of-Way Agreement; and otherwise to provide with respect thereto.

WHEREAS, on or about May 5, 2009, Roger Pecoraro representing Harvest Oil & Gas, LLC, notified Plaquemines Parish Government, Mineral Office, of Harvest Oil and Gas, LLC's interest in replacing an old salt water disposal pipeline with a new four (4") inch salt water disposal pipeline under, over and across Parish-owned properties to transport salt water from various wells in the Grand Bay Field to the Grand Prairie Levee District "A" SWD #2 well in the Grand Bay Field, Plaquemines Parish; and

WHEREAS, thereafter, on July 1, 2009, Robert A. Schroeder, representing Harvest Oil & Gas, LLC, submitted application and fee for one four (4") inch salt water disposal pipeline that will cross Parish-owned properties in Section 06, T20S, R19E and Section 55, T20S, R18E, some 1,608 linear feet, comprising 97.45 rods; and

WHEREAS, the Mineral Office and the Parish President reviewed Harvest Oil & Gas, LLC's application for a pipeline right-of-way agreement and recommend to the Parish Council the approval of such application and execution of a Pipeline Right-of-Way Agreement by Plaquemines Parish Government;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby approves Harvest Oil & Gas, LLC's application for a Pipeline Right-of-Way Agreement identified as PL-09-2, in order to install and maintain one-four (4") inch salt water disposal pipeline that will cross Parish-owned properties beginning in Section 6, Township 20 South, Range 19 East, with 1983 coordinates of X= 3,931,217 and Y= 303,429 (1983 NAD) & 1927 coordinates of X= 2,650,415 & Y= 242,725 (1927 NAD); said pipeline ending in Section 55, Township 20 South Range 18 East, with 1983 coordinates ending at X= 3,929,759 and Y= 303,390 (1983 NAD) & 1927 coordinates of X= 2,648,957 and Y= 242,686 (1927 NAD), Grand Bay Field, Grand Prairie Levee District, Plaquemines Parish, Louisiana; and

WHEREAS, one-four (4") inch pipeline will be located over, under and across Parish-owned properties in Section 06, T20S, R19E; and Section 55, T20S, R18E, some 1,608 linear feet, comprising 97.45 rods, for the transportation of salt water to the Grand Prairie Levee District "A" SWD No. 2 well.

SECTION 2

The Parish President is hereby authorized to execute the Pipeline Right-of-Way Agreement with Harvest Oil & Gas, LLC, for one-four (4") inch salt water disposal pipeline, comprising approximately 1,608 linear feet or 97.45 rods in length, the route and construction which is more fully shown on a plat prepared by Eric G. Ryals dated June 30, 2009, all in accordance with the terms and conditions set forth in the Pipeline Right-of-Way Agreement on file with the Plaquemines Parish Mineral Office.

ORDINANCE NO. 09-170

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

An Ordinance to appropriate the sum of \$197,000 from the Fund Balance Designated for Sewer Projects to provide the engineering and repairs for the P-1 Sewer Lift Station located in Phoenix, Louisiana; authorizing and directing the Parish President, Billy Nungesser, to execute said contract; and otherwise to provide with respect thereto.

WHEREAS, the P-1 sewer lift station is in need of repairs; and

WHEREAS, the Plaquemines Parish Council desires to enter into a Professional Services Contract to begin the necessary repairs;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby appropriates the sum of \$197,000 from the Fund Balance Designated for Sewer Projects to provide the engineering and repairs for the P-1 Sewer Lift Station located in Phoenix, Louisiana.

SECTION 2

It hereby authorizes and directs Parish President, Billy Nungesser, to execute said contract for the engineering and repairs for the P-1 Sewer Lift Station project.

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 Hodnett seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, Lynda G. Banta and Marla Cooper

NAYS: None

ABSENT: Council Member Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-171

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

An Ordinance creating a policy wherein the Finance Manager, the Assistant Finance Manager, or the Senior Accountant II shall attend all Parish Council Meetings; and otherwise to provide with respect thereto.

WHEREAS, as the Legislative branch of the Plaquemines Parish Government, the Parish Council controls all Parish fiscal matters; and

WHEREAS, during Parish Council Meetings it is necessary to immediately obtain information from the Finance Department in order to properly and efficiently conduct the business at hand; and

WHEREAS, it is necessary for the Finance Manager, the Assistant Finance Manager, or the Senior Accountant II shall attend all Parish Council Meetings;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It shall be the policy of the Plaquemines Parish Council that the Finance Manager, the Assistant Finance Manager, or the Senior Accountant II shall be present at all Parish Council Meetings.

SECTION 2

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 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 Don Beshel, Keith Hinkley, Jerry Hodnett, Burghart Turner, John J. Friedman, Lynda G. Banta and Marla Cooper

NAYS: Council Member Stuart J. Guey

ABSENT: Council Member Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

RESOLUTION NO.

On motion of Council Member Hodnett, seconded by Council Member Hinkley, the following Resolution was offered for adoption:

A Resolution authorizing the Parish President to execute Supplemental Agreement No. 1 to the Cooperative Endeavor Agreement between the Parish of Plaquemines and the Parish of Jefferson for the construction of the extension of Harvey Boulevard in Jefferson Parish to Engineers Road in Plaquemines Parish, State Project No. 742-26-0044, Public Works Project No. 2000-053-RB.

WHEREAS, by virtue of Resolutions in 2003, the Plaquemines Parish Government entered into a Cooperative Endeavor Agreement (CEA) with the Parish of Jefferson to assist Jefferson with that portion of the construction of the Harvey Blvd., Extension across Bayou Barataria to its connection with Engineers Road; and

WHEREAS, as per the terms of the original CEA, Jefferson Parish will maintain all improvements in Jefferson Parish and Plaquemines Parish will maintain all improvements in Plaquemines Parish, with the exception of the bridge over Bayou Baratavia, which will be maintained by Jefferson Parish, including approach slabs in Plaquemines Parish; and

WHEREAS, Plaquemines Parish is desirous of eliminating the proposed barrier rail along the pile-supported slab (approximately 310 feet in length) located on the eastern end of the proposed eastbound Harvey Boulevard Bridge over Bayou Baratavia in order to provide access to the adjacent land for future development; and

WHEREAS, Jefferson has no objection to the elimination of the rail provided Plaquemines Parish agrees to maintain the pile-supported approach slab located on the eastern end of the proposed eastbound Harvey Boulevard Bridge over Bayou Baratavia;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President to execute Supplemental Agreement No. 1 and associated documents, to the Cooperative Endeavor Agreement between the Parish of Plaquemines and the Parish of Jefferson for the construction of the extension of Harvey Boulevard in Jefferson Parish to Engineers Road in Plaquemines Parish, State Project No. 742-26-0044, Public Works Project No. 2000-053-RB.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Supplemental Agreement No. 1 to the Cooperative Endeavor Agreement revises the Maintenance Agreement whereby Plaquemines Parish will assume maintenance of the pile-supported approach slab located on the eastern end of the proposed eastbound Harvey Boulevard Bridge over Bayou Baratavia.

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 Hodnett moved to defer the proposed Resolution.

RESOLUTION NO.

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

A Resolution authorizing and directing Amos J. Cormier, III, Plaquemines Parish Council Attorney, to file a Mandamus against William H. Nungesser, in his capacity as Plaquemines Parish President and Chief Executive Officer of Plaquemines Parish to enforce Section 18-1 of the Plaquemines Parish code of Ordinances; and otherwise to provide with respect thereto.

WHEREAS, it is the Administration's duty to enforce all Parish Ordinances; and

WHEREAS, the Administration has been told on two occasions that it was their responsibility to enforce Section 18-1 of the Parish Code of Ordinances by shutting down the operations of all unpermitted borrow pits located within Plaquemines Parish; and

WHEREAS, no action has been taken by the Administration;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes and directs Amos J. Cormier, III, Plaquemines Parish Council Attorney, to file a Mandamus against William H. Nungesser, in his capacity as Plaquemines Parish President and Chief Executive Officer of Plaquemines Parish to enforce Section 18-1 of the Plaquemines Parish Code of Ordinances.

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 Beshel seconded the motion to adopt the Resolution.

Council Member Turner offered a substitute to the proposed Resolution.

RESOLUTION NO. 09-253

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

A Resolution authorizing and directing Amos J. Cormier, III, Plaquemines Parish Council Attorney, to file a Mandamus against William H. Nungesser, in his capacity as Plaquemines Parish President and Chief Executive Officer of Plaquemines Parish to enforce Sections 2-6 and 18-1 of the Plaquemines Parish code of Ordinances and Ordinance No. 08-44; and otherwise to provide with respect thereto.

WHEREAS, it is the Administration's duty to enforce all Parish Ordinances; and

WHEREAS, the Administration has been told on two occasions that it was their responsibility to enforce Section 18-1 of the Parish Code of Ordinances by shutting down the operations of all unpermitted borrow pits located within Plaquemines Parish; and

WHEREAS, no action has been taken by the Administration; and

WHEREAS, Ordinance No. 08-44 was enacted in which the Parish Council adopted the emblem historically used by the Parish since the 1970's as its official seal; and

WHEREAS, the Administration continues to use a seal other than the official seal adopted by the Parish Council; and

WHEREAS, pursuant to Section 2-6 of the Plaquemines Parish Code of Ordinances each parish vehicle must have the Plaquemines Parish decal placed on the front door of each side of the vehicle; and

WHEREAS, several parish vehicles do not have the Parish decal on the front door of each side of the vehicle;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes and directs Amos J. Cormier, III, Plaquemines Parish Council Attorney, to file a Mandamus against William H. Nungesser, in his capacity as Plaquemines Parish President and Chief Executive Officer of Plaquemines Parish to enforce Sections 2-6 and 18-1 of the Plaquemines Parish Code of Ordinances and to use only the Official Parish Seal adopted by the Parish Council on items of public property.

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.

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

Council Member Beshel seconded the motion to adopt the Resolution.

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

YEAS: Council Members Don Beshel, Jerry Hodnett, Burghart Turner, John J. Friedman, Lynda G. Banta and Marla Cooper

NAYS: Council Member Keith Hinkley, and Stuart J. Guey

ABSENT: Council Member Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Resolution was adopted on this the 23rd day of July, 2009.

Council Member Banta moved a recess at 4:25 p.m.

The meeting came back to order at 4:50 p.m.

Council Member Banta moved to advance to Agenda Item 6-ee, "An Ordinance to amend and as amended readopt the first "WHEREAS" and "SECTION 1" of Ordinance No. 09-142, adopted June 25th, 2009, which amended the General Fund, Manpower Structure, President's Department; and otherwise to provide with respect thereto.". Without objections, so ordered.

ORDINANCE NO. 09-172

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

An Ordinance to amend and as amended readopt the first "WHEREAS" and "SECTION 1" of Ordinance No. 09-142, adopted June 25th, 2009, which amended the General Fund, Manpower Structure, President's Department; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council adopted Ordinance No. 09-142, on June 25th, 2009, which amended the General Fund, Manpower Structure, President's Department; and

WHEREAS, the Plaquemines Parish Council wishes to eliminate the increase of the two (2) Secretary's Position;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby amends and as amended readopts the first "WHEREAS" of Ordinance No. 09-142, adopted June 25th, 2009, to read as follows:

"WHEREAS, decreasing the salary of the Executive Assistant's Position by \$6,700.00 is requested;"

SECTION 2

It hereby amends and as amended readopts "SECTION 1" of Ordinance No. 09-142, adopted June 25th, 2009, to read as follows:

"SECTION 1

The General Fund, 2009 Manpower Structure, President's Department, is amended by decreasing the salary of the Executive Assistant's Position by \$6,700.00 and returning the balance of the remaining salary to the General Fund Unreserved/Undesignated Fund Balance".

SECTION 3

All other sections, clauses, paragraphs and provisions of Ordinance No. 09-142, shall remain the same and unchanged.

SECTION 4

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 Turner seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Jerry Hodnett, Burghart Turner, John J. Friedman, and Marla Cooper

NAYS: Council Members Stuart J. Guey, and Lynda G. Banta

ABSENT: Council Members Keith Hinkley, and Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-173

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

An Ordinance to approve the employment of Volkert & Associates, Inc., to provide professional engineering services in connection with the Barriere Road and Hermitage Road Bridge Projects; to appropriate the sum of Thirty (\$30,000.00) Thousand Dollars from the Road Maintenance Parish Wide for such services; to authorize the Parish President to negotiate and sign professional engineering services contracts with Volkert & Associates, Inc.; and otherwise to provide with respect thereto.

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby appropriates the sum of thirty (\$30,000.00) Thousand Dollars from Road Maintenance Parish Wide to Barrier Road/Hermitage Road Bridge Project for professional engineering services in connection with the Barriere Road and Hermitage Road Bridge Projects.

SECTION 2

It hereby authorizes the Parish President, Billy Nungesser, to negotiate and execute contracts with Volkert & Associates, Inc. for professional engineering services for the named bridge projects and to sign all associated documents for such projects.

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 Guey seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, Lynda G. Banta and Marla Cooper

NAYS: None

ABSENT: Council Member Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

ORDINANCE NO. 09-174

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

An Ordinance to amend the General Fund 2009 Operating Revenue and Expenditure Budgets by creating a FINS Program Division of the Judge’s Department; and otherwise to provide with respect thereto.

WHEREAS, it has been requested by the Judge’s Department to create and partially fund a FINS (Families In Need of Services) Program Division that will be funded through a grant administered by the Louisiana Supreme Court; and

WHEREAS, the purpose of the division is to partially fund the FINS Program which is designed to identify and integrate existing service providers, to connect families to needed services, and to promote the establishment of new services or program where gaps in services have been identified;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The General Fund 2009 Operating Revenue and Expenditure Budgets are amended to partially fund and create a FINS Program Division within the Judge’s Department as follows:

FUND	DEPARTMENT	DIVISION	OBJECT	AMENDMENT	NEW TOTAL
01 GENERAL	43843 STATE Reimb-FINS Program			INCREASE BY \$25,890.00	\$25,890.00
01 GENERAL	310 JUDGES	2125 FINS Prog	52800 Professional Services	INCREASE BY 25,890.00	25,890.00

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

Council Member Beshel seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, Lynda G. Banta and Marla Cooper

NAYS: None

ABSENT: Council Member Anthony L. Buras

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

RESOLUTION NO.

The following Resolution was offered by Council Member Hinkley who moved its adoption:

A Resolution authorizing the Parish President to execute those documents and agreements with engineering and architectural firms for preparation of the master conceptual plan for the Emergency Operations Center (“EOC”)/Government Complex; and otherwise to provide with respect thereto.

WHEREAS, there are funds appropriated for the initial architectural/engineering work to prepare the Master Conceptual Plan for the EOC/Government Complex in the 2009 Budget; and

WHEREAS, the Parish President has requested authority to execute a professional services contract with Engineering and Architectural firms for preparation of the Master Conceptual Plan;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that the Parish President, William “Billy” Nungesser, is hereby authorized to negotiate and execute contracts engineering and architectural firms for professional services for preparation of the Master Conceptual Plan for the Emergency Operations Center/Government Complex on terms and conditions that are in the best interest of the Parish of Plaquemines and the Plaquemines Parish Government with full authority to execute all associated documents pertaining to this phase of the project.

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 Guey seconded the motion to adopt the Resolution.

A M E N D M E N T

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

BE IT RESOLVED by the Plaquemines Parish Council that the following Amendment to the “Proposed Resolution” authorizing the Parish President to execute those documents and agreements with engineering and architectural firms for preparation of the master conceptual plan for the Emergency Operations Center (“EOC”)/Government Complex:

After Line 15 and Before Line 16 insert the following:

“BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the construction plans are to be approved by Council Resolution before being considered”.

Council Member Hinkley seconded the motion to adopt the Amendment.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Anthony L. Buras, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Amendment was adopted on this the 23rd day of July, 2009.

R E S O L U T I O N N O . 09-254

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

A Resolution authorizing the Parish President to execute those documents and agreements with engineering and architectural firms for preparation of the master conceptual plan for the Emergency Operations Center (“EOC”)/Government Complex; and otherwise to provide with respect thereto.

WHEREAS, there are funds appropriated for the initial architectural/engineering work to prepare the Master Conceptual Plan for the EOC/Government Complex in the 2009 Budget; and

WHEREAS, the Parish President has requested authority to execute a professional services contract with Engineering and Architectural firms for preparation of the Master Conceptual Plan;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that the Parish President, William “Billy” Nungesser, is hereby authorized to negotiate and execute contracts engineering and architectural firms for professional services for preparation of the Master Conceptual Plan for the Emergency Operations Center/Government Complex on terms and conditions that are in the best interest of the Parish of Plaquemines and the Plaquemines Parish Government with full authority to execute all associated documents pertaining to this phase of the project.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that the construction plans are to be approved by Council Resolution before being considered.

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.

ORDINANCE NO. 09-175

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

An Ordinance to amend the Five-Year Capital Improvements Plan for the Belle Chasse Football Field - Bleachers Project; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government owns the Belle Chasse High School Football Field and \$80,000 is needed to purchase bleachers; and

WHEREAS, amending the Five-Year Capital Improvements Plan by appropriating \$80,000 from the General Fund Unreserved/Undesignated Fund Balance to the Belle Chasse Football Field-Bleachers Project 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 \$80,000 to the Belle Chasse Football Field-Bleachers Project, funding source, General Fund Unreserved/Undesignated Fund Balance, funding year, 2009.

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

Council Member Hinkley seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Anthony L. Buras, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

RESOLUTION NO. 09-255

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

A Resolution to authorize Parish President, Billy Nungesser, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, Department of Natural Resources (DNR), for #2515-10-03 “Plaquemines Parish Local Coastal Program Implementation”; and otherwise to provide with respect thereto.

WHEREAS, Article VII, Section 14(c) authorizes political subdivisions of the State of Louisiana to enter into cooperative endeavors with each other for a public purpose consistent with the obligations imposed on each public body by law; and

WHEREAS, the State Department of Natural Resources has approved of the implementation of the Local Coastal Program for Plaquemines Parish and has requested the confection and execution of a Cooperative Endeavor Agreement to govern each party’s commitment and obligations for the Local Coastal Program;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves of a Cooperative Endeavor Agreement with the State of Louisiana, Department of Natural Resources, for implementation of the Parish’s Local Coastal Program, #2515-10-03, and that the Parish President, William “Billy” Nungesser, is hereby authorized to enter into and execute a Cooperative Endeavor Agreement with the State of Louisiana, Department of Natural Resources (DNR) for #2515-10-03 “Plaquemines Parish Local Coastal Program Implementation” and to sign any and all additional documents associated with such implementation.

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.

ORDINANCE NO. 09-176

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

An Ordinance to appropriate \$6,300.00 from the Unreserved/Undesignated Fund Balance to install a culvert on Hwy. 11 in District 7; and otherwise to provide with respect thereto.

WHEREAS, a culvert is needed to close in the main ditch on Hwy. 11 in District 7;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby appropriates \$6,300.00 from the Unreserved/Undesignated Fund Balance to install a culvert in the main ditch on Hwy. 11 in District 7.

SECTION 2

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 Hodnett seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Anthony L. Buras, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

RESOLUTION NO.

On motion of Council Member Banta, seconded by Council Member Friedman, the following Resolution was offered for adoption:

A Resolution authorizing the Parish President to execute those documents and agreements required in granting the U.S. Corps of Engineers the ingress and egress to conduct grassing operations within the existing right-of-way reaches 5, 6, 7 and 8 of the New Orleans to Venice (NOV) Hurricane Protection System, Plaquemines Parish, Louisiana.

WHEREAS, the U.S. Army Corps of Engineers requests a right of entry for the grassing operations in order to correct the problem of grass falling to grow in some of the levee areas of the Parish, more specifically New Orleans to Venice (NOV) areas 5, 6, 7 and 8, to include repair and rehabilitation as a result of damages sustained during Hurricane Katrina; and

WHEREAS, the work will consist of grading, leveling, capping and seeding bare areas along the reaches without the need for borrow material;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President, being the chief elected official of the Plaquemines Parish Government, is authorized to grant the U.S. Corps of Engineers the ingress and egress to conduct grassing operations within the existing right-of-way for NOV areas 5, 6, 7 and 8 of the New Orleans to Venice Hurricane Protection System, Plaquemines Parish, Louisiana, and to sign any and all documents associated with the Right of Entry.

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 Banta withdrew the proposed Resolution.

RESOLUTION NO. 09-256

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

A Resolution authorizing the Parish President, Billy Nungesser, to file applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal Transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations of the Applicant (Plaquemines Parish Government), and may require the Applicant (Plaquemines Parish Government) to provide the local share of the project cost; and

WHEREAS, the Applicant (Plaquemines Parish Government) has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes the Parish President, Billy Nungesser, to execute and file application for Federal assistance on behalf of Plaquemines Parish Government, the Designated Recipient as defined by 49 U.S.C. 5307 (A)(2), with the Federal Transit Administration for Federal Assistance authorized by 49 U.S.C. Chapter 53, title 23 United States Code or other Federal statutes authorizing a project administered by the Federal Transit Administration.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Parish President, Billy Nungesser, is authorized to execute and file with its application the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.

BE IT FURTHER RESOLVED by the Plaquemines Parish Council that Parish President, Billy Nungesser, is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of Plaquemines Parish Government.

ORDINANCE NO. 09-177

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

An Ordinance to amend the General Fund 2009 Operating Revenue and Expenditure Budgets for a Local Government Assistance Program 2008-2009 Grant (LGAP); and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government was awarded a Local Government Assistance Program grant to purchase an 18 wheeler truck capable of pulling a mobile kitchen; and

WHEREAS, amending the General Fund 2009 Operating Revenue and Expenditure Budgets by appropriating \$144,000 to revenue line item Grants-LGAP 2008-2009 and by appropriating \$144,000 to the Sheriff's Department expenditure line item Heavy Vehicles is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The General Fund 2009 Operating Revenue and Expenditure Budgets are amended by appropriating \$144,000 to the Sheriff's Department from the Local Government Assistance Program 2008-2009 Grant as follows:

FUND	DEPARTMENT	DIVISION	OBJECT	AMENDMENT	NEW TOTAL
01 GENERAL	43441 GRANTS-LGAP 2008-2009			INCREASE BY	\$144,000.00
01 GENERAL	370 SHERIFF	2205 GENERAL	56420 HEAVY VEHICLES	INCREASE BY	144,000.00

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

Council Member Beshel seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Anthony L. Buras, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 23rd day of July, 2009.

Council Member Banta moved to revert to Agenda Item 5, "Introduction of Ordinances and Resolutions". Without objections, so ordered.

- a. An Ordinance authorizing the Parish President to execute those documents and agreements required in granting the U.S. Corps of Engineers the ingress and egress to conduct grassing operations within the existing right-of-way reaches 5, 6, 7 and 8 of the New Orleans to Venice (NOV) Hurricane Protection System, Plaquemines Parish, Louisiana. COUNCIL MEMBER BANTA

SUSPENSION OF RULES

Council Member Friedman moved to suspend any and all rules necessary to add to the Agenda and to consider at today's meeting a Resolution entitled "A Resolution to appoint the member representing Council District 7 of the Plaquemines Parish Development Board with his term beginning immediately and running through February 28, 2011; and otherwise to provide with respect thereto".

Council Member Hodnett seconded the motion to suspend the rules.

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

YEAS: Council Members Don Beshel, Keith Hinkley, Jerry Hodnett, Stuart J. Guey, Burghart Turner, John J. Friedman, and Lynda G. Banta

NAYS: None

ABSENT: Council Members Anthony L. Buras, and Marla Cooper

PRESENT BUT NOT VOTING: None

And the Motion was adopted on this the 23rd day of July, 2009.

RESOLUTION NO.09-257

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

A Resolution to appoint the member representing Council District 7 of the Plaquemines Parish Development Board with his term beginning immediately and running through February 28, 2011; and otherwise to provide with respect thereto.

WHEREAS, Board Member Dwayne Bubrig’s term expired on February 28, 2009; and

WHEREAS, the Parish President, Billy Nungesser, pursuant to Section 3.10, Paragraph G of the Home Rule Charter, has recommended the appointment of the following individual to wit:

District 7

Edward Derouen

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby appoints Edward Derouen, to serve as District 7 Member of the Parish Development Board for the Parish of Plaquemines with the term beginning immediately and running through February 28, 2011.

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. 09-258

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

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approves the minutes of the June 11, 2009 Council Meeting, as recorded by the Secretary of this Council.

There being no further business to come before this Council, on motion of Council Member Beshel, seconded by Council Member Hinkley, and on roll call all members present voting “Yes”, except Council Members Buras and Cooper, absent, the meeting adjourned at 5:45 p.m.

Chairman

Secretary

Minutes of a meeting of the Plaquemines Parish Council, as the sole governing authority of the Plaquemines Parish Port, Harbor and Terminal District, held in the Plaquemines Parish Temporary Courthouse, 450 F. Edward Hebert Blvd., Belle Chasse, Louisiana, on Thursday, July 23, 2009, at 6:00 p.m. pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Lynda G. Banta, Chairman
Council Member Don Beshel, Vice-Chairman
Council Member Keith Hinkley
Council Member Jerry Hodnett
Council Member Stuart J. Guey
Council Member Anthony L. Buras
Council Member Burghart Turner
Council Member John J. Friedman
Council Member Marla Cooper

Melissa P. LeBlanc, Secretary

ABSENT: Council Member

Mr. Billy Nungesser, Parish President is absent.

The Pledge of Allegiance was dispensed with.

Introductions of Ordinances and Resolutions.

- a. An Ordinance approving an amendment to the lease with Marine Spill Response Corporation and authorizing the _____ to execute the amendment and related documents regarding the lease of improvements at Fort Jackson on the Mississippi River Batture; and otherwise to provide with respect thereto. COUNCIL MEMBER BESHEL
- b. An Ordinance authorizing and directing Lynda G. Banta, as the Chairperson of the Plaquemines Port, Harbor and Terminal District, to enter into an agreement with King, Krebs & Jurgens, PLLC to collect on past due Port accounts; and otherwise to provide with respect thereto. COUNCIL MEMBER BANTA

RESOLUTION NO. 09-259

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

A Resolution authorizing and directing the Port Committee to negotiate a contract with Trident Holdings to develop a Port Master Plan; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council desires to enter into a contractual agreement with Trident Holdings;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby authorizes and directs the Port Committee to negotiate a contract with Trident Holdings to develop a Port Master Plan.

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. 09-260

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

A Resolution expressing the Plaquemines Parish Port, Harbor and Terminal District's support of the dredging of South Pass to a depth of twenty (20') feet; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Port, Harbor and Terminal District believes that increasing the depth of South Pass would promote further development in the Venice area and the Eastern Gulf; and

WHEREAS, increasing the depth of South Pass would benefit the Offshore Industry by reducing the travel time and costs to offshore locations and lead to less traffic in South West Pass.

NOW THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby supports the dredging of South Pass to a depth of twenty (20') feet.

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.

There being no further business to come before this Council, sitting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, on motion of Council Member Beshel, seconded by Council Member Hinkley, and on roll call all members present voting "Yes", except Council Members Buras and Cooper, absent, the meeting adjourned at 6:15 p.m.

Chairman

Secretary