

Minutes of a meeting of the Plaquemines Parish Council, held in the Pointe-a-la-Hache Courthouse Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana on Thursday, April 22, 2021, at 3:21p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Mark Cognevich, Chairman  
Council Member John L. Barthelemy, Jr.  
Council Member W. Beau Black  
Council Member Corey Arbourgh  
Council Member Stuart J. Guey  
Council Member Benedict Rousselle  
Council Member Trudy Newberry  
Council Member Carlton M. LaFrance, Sr.  
Council Member Richie Blink

Kim M. Toups, Secretary

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine and Charter Directors Todd Eppley and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 7a(1), “Woodland Borrow Pits, LLC (North), Application No. 2021-90, dated January 22, 2021, continuation of existing borrow pit operation, Ironton Area”;
- 9e, “A Resolution to establish a one-year moratorium prohibiting the receipt of any permit application and/or the issuance of any permit for the construction, addition or extension of any borrow pit or any other pits or the extraction of dirt, soil, clay, sand, gravel or earth within the boundaries of the Parish of Plaquemines in order to allow the Plaquemines Parish Government time to review, regulate and restrict the operation and construction of said pits or extractions; and further, to establish guidelines, policies and procedures related thereto, and furthermore to ensure that the safety, health and welfare of the people and property of this Parish are protected; and otherwise to provide with respect thereto”;
- 9g, “An Ordinance to amend the 2021 General Fund, Manpower Structure and Operating Expenditure Budget, Director of Operations Department; to amend the 2021 General Fund, Manpower and Operating Expenditure Budget Director of Administration Department; to amend the 2021 General Fund, Manpower and Operating Expenditure Budget Director of Public Services Department; and otherwise to provide with respect thereto”;
- 9i, “A Resolution authorizing Plaquemines Parish Government’s President to enter into transactions with the La. DOTD for sale of property rights and grant of servitude for STATE PROJECT NO. H.004791 F. A. P. NO. H004791 LA. 23: BELLE CHASSE BRIDGE AND TUNNEL (HBI) ROUTE: LA 23 AND LA 3017 PLAQUEMINES AND JEFFERSON PARISH; and otherwise to provide with respect thereto”;
- 9o, “A Resolution to establish a one-year moratorium prohibiting the receipt of any permit application and/or the issuance of any permit for the construction, addition or extension of any borrow pit or any other pits or the extraction of dirt, soil, clay, sand, gravel or earth within the boundaries of the Parish of Plaquemines in order to allow the Plaquemines Parish Government time to review, regulate and restrict the operation and construction of said pits or extractions; and further, to establish guidelines, policies and procedures related thereto, and furthermore to ensure that the safety, health and welfare of the people and property of this Parish are protected; and otherwise to provide with respect thereto”;
- Agenda Item 11e, “District 7 update”;
- Agenda Item 11f, “District 5 Update”;
- Agenda Item 11g, “District 6 update” ; and
- Agenda Item 11h, “Discussion on the Scarsdale and Pointe-a-la-Hache Ferries and schedule of operations” .

At the request of Council Member Black, Council Member Cognevich advanced to Agenda Item 9l. Without objection, so ordered.

R E S O L U T I O N   N O . 2 1 - 1 1 0

On motion of Council Member Black, seconded by Council Member Cognevich, and on roll call all members present and voting “YES”, except Council Member Barthelemy who voted “NO”, the following Resolution was adopted:

A Resolution authorizing and directing the Parish President, or his designee, to do all things necessary and proper to provide assistance to the Plaquemines Parish Heritage and Seafood Festival, and otherwise to provide with respect thereto.

WHEREAS, the Louisiana Constitution of 1974, at Article VII, Section 14(c), provides: “For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual; and

WHEREAS, the Plaquemines Parish Code of Ordinances Section 17.5-51 permits the Parish Council, pursuant to LSA – R.S. 33:3001, to appropriate funds at the sole discretion of the Parish Council when certain requirements are met, not to exceed fifty thousand dollars per year in support of and participation in fairs, agricultural festivals, or other properly organized agricultural activities whether such fairs, festivals, and other agricultural activities are held within the boundaries of the parish making the appropriation or not; and

WHEREAS, the Plaquemines Parish Council has entered into a valid Cooperative Endeavor Agreement (CEA) between Plaquemines Parish Government and Plaquemines Heritage and Seafood Festival, Inc., d/b/a Plaquemines Parish Heritage and Seafood Festival, a section 501(c)(3) organization; and

WHEREAS, the Plaquemines Parish Heritage and Seafood Festival provides economic benefits and public exposure to the natural resources of the Parish, while further providing tax revenue to the Parish, and a means of enabling Parish non-profit enterprises to acquaint the public with their programs through the use of booths at the Fair;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes and directs the Parish President, or his designee, to provide assistance from the Plaquemines Parish Government to the Plaquemines Parish Heritage and Seafood Festival, as they meet the eligibility requirements listed in the Plaquemines Parish Code of Ordinances Section 17.5-51.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL that it hereby authorizes the temporary donation of the following from the Plaquemines Parish Government to the Plaquemines Parish Heritage and Seafood Festival:

1. One public address system;
2. Use of the Belle Chasse Multi-purpose area and surrounding parking area for May 21-23<sup>rd</sup>, 2021.

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 purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

There being no matters for Executive Session and no Proclamations, Council Member Cognevich moved to Agenda Item 4, “Status Report by the Parish President”. Without objection, so ordered. President Lepine reported the following:

- COVID UPDATE as of April 15, 2021: 1,833 confirmed cases; 26 confirmed deaths and the positivity rate has increased from 1.9% the week of April 5<sup>th</sup> to 3.7% as of April 15<sup>th</sup>. The Moderna vaccine is being given at the Parish Health Department, Delta Drugs and the Plaquemines Medical Center by appointment only.
- T-Ball, Softball and Baseball registration is ongoing until April 23<sup>rd</sup>. Late registration is from April 26<sup>th</sup> until April 30<sup>th</sup> and it can be done in person Monday thru Friday from 7:00 a.m. until 3:00 p.m. at the Davant, Belle Chasse and Buras Rec offices.

- Plaquemines Parish is invited to the U.N.O baseball game being held on May 8<sup>th</sup> at 2:00 p.m.
- Today we celebrate Earth Day by doing our part to clean up Plaquemines Parish.

The following matters were raised by the Council Members:

Council Member Barthelemy asked that at the next meeting the Administration provide information on the Baseball Quad being built in Belle Chasse.

Council Member Cognevich announced that the May 13<sup>th</sup> Council Meeting will be cancelled.

Council Member Blink inquired as to if there would be a Plaquemines Day at the State Legislature this year and President Lepine told him that he does not know if the Legislature is allowing it due to COVID.

Council Member Cognevich moved to Agenda Item 4, "Update by Charter Directors". Without objection so ordered. Questions were asked and discussions were held regarding the following:

- Council Member Newberry said that Mr. Eppley spoke about Civil Service in his update and she wanted to know if they only advertise for Parish jobs within the Parish. Mr. Eppley said yes, up until this time the only place was on the website. He started a conversation with Civil Service regarding advertising because some jobs have been posted for months but, they cannot be filled. Mr. Eppley explained that Civil Service had a \$10,000 budget for advertising last year that was not used; however, they were told by Civil Service that each dept had to use their own budget to advertise. Civil Service then changed their mind, so for the first time this week an ad was in Gazette listing available jobs. Eppley said he is working with Civil Service to get online services to post jobs.
- Council Member Rousselle said he received information that the Administration tried to go to Civil Service in an attempt to change some job qualifications due to positions not being filled and they were denied by the Board. Mr. Eppley confirmed that they were denied. Council Member Rousselle inquired as to what if the Civil Service Administrator or the Board denied the request for requirement changes for the guy who worked for the Parish for 30 years and Todd Eppley said it was the Administrator. Council Member Rousselle recommend the Legal Department make a recommendation to Board because the Board seems more amenable. He also told Mr. Eppley to make a list of what the Administration would like changed and if a resolution from council is needed, to let them know.
- Council Member Newberry asked if the Community Action Agency grant was new. She was told by President Lepine that it is new and its being used to buy new buses and also to work with the Workforce agency to get some help.
- Council Member Barthelemy said that our biggest problem is salaries. People are not applying and we cannot operate without certain positions being filled.

There being no matters under Agenda Item 5, "Bids and Advertisements" and under Agenda Item 6, "Beer and Liquor Licenses", Council Member Cognevich moved to Agenda Item 7, "Building Permits". Without objection, so ordered.

Agenda Items 7a(2) through 7a(6) were taken *en globo*:

#### RESOLUTION NO. 21-111

On motion of Council Member Blink, seconded by Council Member Newberry, and on roll call all members present and voting "YES", except Council Members Black, LaFrance and Cognevich who "ABSTAINED", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following applications for construction permits in the Parish of Plaquemines are hereby approved: LLOX, LLC, Application No. 2020-453, dated June 23, 2020, install 4-inch pipeline, Happy Jack Oil and Gas Field, Diamond Area; Kean Miller, Application No. 2021-134, dated February 3, 2021, drill seven soil borings/wells to conduct soil and ground water testing for a Phase II environmental site assessment, 9203 Highway 23, Belle Chasse; Texas Petroleum Investment Company, Application No. 2021-302, dated April 8, 2021, prop-wash, drill the DDC Well No. 130 and install well protector platform, 3-inch flowlines and 2-inch gas lift line, Delta Duck Club Field; Hilcorp Energy Company, Application No. 2021-303, dated April 5, 2021, install 4-inch injection line, Lake Washington Field; Hilcorp Energy Company, Application No. 2021-304, dated April 5, 2021, install 6-inch pipeline, Lake Washington Field.

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. 21-112

On motion of Council Member Rousselle, seconded by Council Member Blink, and on roll call all members present and voting “YES”, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Melissa Stafford for the placement of a third trailer residence on property located in an A-2 (Rural and Agricultural) Zoning District on parcel # 1586144 on East Bayou Road, Belle Chasse, Louisiana, all in accordance with Application No. 2021-312, dated April 6, 2021.

WHEREAS, Melissa Stafford applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2021-312, dated April 6, 2021) for a permit for the placement of a third trailer residence on parcel # 1586144 on East Bayou Road, Belle Chasse, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a special permit to Melissa Stafford for the placement of a third trailer residence on property located in an A-2 (Rural and Agricultural) Zoning District on parcel # 1586144 on East Bayou Road, Belle Chasse, Louisiana, all in accordance with Application No. 2021-312, dated April 6, 2021.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Cognevich moved to Agenda Item 8, “Introduction of Ordinances and Resolutions”. Without objection, so ordered. The following legislation was introduced:

1. A Resolution urging the Louisiana State Legislature to amend the applicable laws pertinent to official journals of parishes, municipalities and school boards; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
2. A Resolution authorizing the Parish President, on behalf of the Plaquemines Parish Government, to name and accept the proposal of the Plaquemines Gazette as the Official Journal for the Plaquemines Parish Council and all other political subdivisions and districts situated therein of which the Plaquemines Parish Council is the governing authority. COUNCIL MEMBER COGNEVICH
3. A Resolution approving and authorizing Thomas J. Serpas, Finance Manager, to execute a Louisiana Compliance Questionnaire to Kolder, Slaven & Company, LLC; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
4. An Ordinance approving a plan of resubdivision of the property of Lot AB-2, Section 25, T20S, R29E, Southeastern District of Louisiana, West of the Mississippi River, Triumph, Plaquemines Parish, Louisiana, into Lots AB-3 and AB-4, Section 25, T20S, R29E, Southeastern District of Louisiana, West of the Mississippi River, Triumph, Plaquemines Parish, Louisiana, as shown on the plan and plat of survey by Dufrene Surveying and Engineering, Inc., dated January 15, 2021, the owners having fulfilled all 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; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH

5. A Resolution authorizing the Parish President to execute an extension with BellSouth Telecommunications, LLC; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
6. An Ordinance to amend the Five Year Capital Improvements Plan, Restore Act Projects, Restore Act-Bayou Eau Noire Project, Restore Act-Bay Adams Project, and Restore Act-Eastbank Landbridge Project; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
7. An Ordinance to amend the 2021 Manpower Structure, Public Health Fund, Ambulances-General Department; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
8. A Resolution approving the request for a Conditional Use to Gunn Concrete, LLC, for a concrete batch plant in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as the southern portion of parcel number 1176225, Highway 23, Myrtle Grove, Plaquemines Parish, Louisiana, Section 10, Township 17 South, Range 25 East, all in accordance with Application No. 2021-455, dated March 1, 2021. COUNCIL MEMBER LAFRANCE
9. A Resolution of the Plaquemines Parish Council addressing the establishment of the policy of Plaquemines Parish Government with regard to access to certain Parish facilities, directing the carrying out of such policies adopted by the Plaquemines Parish Council and to provide for related matters. COUNCIL MEMBER ROUSSELLE

Council Member Cognevich moved to Agenda Item 9, “Ordinances and Resolutions on second reading and final passage”. Without objection, so ordered.

Agenda Item 9a(1) was temporarily passed over.

Agenda item 9b:

RESOLUTION NO. 21-113

On motion of Council Member Barthelemy, seconded by Council Member LaFrance, and on roll call all members present and voting “YES”, the following Resolution was adopted:

A Resolution relative to the use of Parish own and/or operated dock space to ensure the Parish is being appropriately compensated; and to provide for related matters.

WHEREAS, the Plaquemines Parish Council appreciates that there is vacant, unleased dock space that is owned and/or operated by the Plaquemines Parish Government; and

WHEREAS, the Plaquemines Parish Council appreciates that there are a number of instances in which persons are utilizing vacant and/or unleased dock space for personal, recreational and commercial uses without any agreement to do so; and

WHEREAS, the Plaquemines Parish Government should require payment from persons that use dock space that is owned and/or operated by Plaquemines Parish Government;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT, the policy of Plaquemines Parish Government shall be as follows:

- Parish owned and/or operated dock space shall only be made available for use for an appropriate fee;
- The administration of Plaquemines Parish Government is directed to investigate and ensure that Parish owned and/or operated is not being used with the user entering into n agree to pay the appropriate fee;

- The administration of Plaquemines Parish Government is directed to report to the Council at the March 25, 2021 meeting of the Council on the result of the investigation directed herein.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT, the Plaquemines Parish President is hereby directed to apply, carry out, and enforce the policy set forth herein.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Cognevich offered Agenda Item 9c, it was seconded by Council Member Black.

#### MOTION FOR AMENDMENT

Council Member Black offered the following amendment which was seconded by Council Member Arbourgh, and upon roll call, all members present voting “YES”, except Council Member Rousselle who voted “NO”, the amendment was adopted by a vote of 8-1:

In the proposition language of the Resolution the following amendments were offered:

- “one (1) mill” was removed and replaced with “two (2) mills”
- the amount of “\$985,000” was removed and replaced with “\$1,970,000”
- when stating the purpose of the millage, the phrase “acquiring, constructing” was removed and the word “repairing” was inserted behind “improving”.

In the Election Notice the following amendments were offered:

- the estimated election cost of “\$30,000” was removed and replaced with “\$10,066”
- “one (1) mill” was removed and replaced with “two (2) mills”
- the amount of “\$985,000” was removed and replaced with “\$1,970,000”
- when stating the purpose of the millage, the phrase “acquiring, constructing” was removed and the word “repairing” was inserted behind “improving”.

Council Member Cognevich offered the resolution as amended:

#### RESOLUTION NO. 21-114

The following Resolution was offered by Council Member Cognevich and seconded by Council Member Black:

A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, acting as the governing authority of the Parish of Plaquemines, State of Louisiana, that:

#### SECTION 1

Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Sections 26 and 32 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, OCTOBER 9, 2021**, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following propositions, to-wit:

#### PROPOSITION (MILLAGE)

Shall the Parish of Plaquemines, State of Louisiana (the "Parish"), be authorized to levy a tax of two (2) mills on all the property subject to taxation in the Parish (the estimated amount reasonably expected to be collected from the levy of the tax for one entire year being \$1,970,000 for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, for the purpose of improving, repairing, maintaining and operating parks, playgrounds, recreation centers and other recreational facilities and providing recreational programs in the Parish, together with the necessary furnishings, fixtures and equipment for the foregoing?

## SECTION 2

Publication of Notice of Election. A Notice of Special Election shall be published in the *Plaquemines Gazette*, a newspaper of general circulation within the Parish, published in Belle Chasse, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Council Secretary of the Governing Authority is authorized and directed to make any amendments to the foregoing propositions that may be required to comply with any state or federal regulatory agencies.

## SECTION 3

Canvass. This Governing Authority shall meet at its regular meeting place, the Plaquemines Parish Courthouse, Council Chambers, 18055 Hwy. 15 Pointe-a-la-Hache, Louisiana, on **THURSDAY, OCTOBER 14, 2021, at THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

## SECTION 4

Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

## SECTION 5

Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election and voting machines shall be used.

## SECTION 6

Authorization of Officers. The Council Secretary is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman of the Governing Authority and/or the Council Secretary are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

## SECTION 7

Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of

Voting Machines of Plaquemines Parish and the Registrar of Voters of Plaquemines Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

#### SECTION 8

Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special taxes provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

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

YEAS: Council Members John L. Barthelemy, Jr., W. Beau Black, Corey Arbourgh, Stuart J. Guey, Trudy Newberry, Carlton M. LaFrance, Sr. and Mark Cognevich

NAYS: Council Members Benedict Rousselle and Richie Blink

ABSENT: None

And the resolution was declared adopted on this, the 22<sup>nd</sup> day of April, 2021.

S/Kim M. Toups  
Council Secretary

S/Mark Cognevich  
Council Chairman

Council Member Cognevich offered Agenda Item 9d and it was seconded by Council Member Black.

#### MOTION FOR AMENDMENT

Council Member Black offered the following amendment which was seconded by Council Member Arbourgh, and upon roll call, all members present voting "YES", except Council Members Barthelemy, Rousselle, LaFrance and Blink who voted "NO", the amendment was adopted by a vote of 5-4:

In the proposition language of the Resolution the following amendments were offered:

- When stating the purpose of the millage, the phrase "acquiring, designing, planning construction, improving" was removed and the word "repairing" was inserted behind "purpose of".

In the Election Notice the following amendments were offered:

- When stating the purpose of the millage, the phrase "acquiring, designing, planning construction, improving" was removed and the word "repairing" was inserted behind "purpose of".
- When stating the cost of the election, "\$30,000" was removed and replaced with "\$10,066".

Council Member Cognevich offered the Resolution as amended:

#### RESOLUTION NO. 21-115

The following Resolution was offered by Council Member Cognevich and seconded by Council Member Black:



A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of the special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, acting as the governing authority of the Parish of Plaquemines, State of Louisiana, that:

#### SECTION 1

Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Sections 26 and 32 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, OCTOBER 9, 2021**, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following propositions, to-wit:

#### PROPOSITION (MILLAGE)

Shall the Parish of Plaquemines, State of Louisiana (the "Parish"), be authorized to levy a tax of five (5) mills on all the property subject to taxation in the Parish (the estimated amount reasonably expected to be collected from the levy of the tax for one entire year being \$4,925,000 for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, for the purpose of repairing, maintaining and operating levees, flood protection, flood control, hurricane protection, tidal and storm protection, storm damage reduction, and drainage works in the Parish?

#### SECTION 2

Publication of Notice of Election. A Notice of Special Election shall be published in the *Plaquemines Gazette*, a newspaper of general circulation within the Parish, published in Belle Chasse, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Council Secretary of the Governing Authority is authorized and directed to make any amendments to the foregoing propositions that may be required to comply with any state or federal regulatory agencies.

#### SECTION 3

Canvass. This Governing Authority shall meet at its regular meeting place, the Plaquemines Parish Courthouse, Council Chambers, 18055 Hwy. 15 Pointe-a-la-Hache, Louisiana, on **THURSDAY, OCTOBER 14, 2021**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

#### SECTION 4

Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

#### SECTION 5

Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election and voting machines shall be used.

SECTION 6

Authorization of Officers. The Council Secretary is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman of the Governing Authority and/or the Council Secretary are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7

Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Plaquemines Parish and the Registrar of Voters of Plaquemines Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8

Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special taxes provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

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

YEAS: Council Members W. Beau Black, Corey Arbourgh,  
Stuart J. Guey, Trudy Newberry and Mark Cognevich

NAYS: Council Members John L. Barthelemy, Jr., Benedict Rousselle, Carlton LaFrance and Richie Blink

ABSENT: None

And the resolution was declared adopted on this, the 22<sup>nd</sup> day of April, 2021.

s/Kim M. Toups  
Council Secretary

s/Mark Cognevich  
Council Chairman

Council Member Cognevich offered Agenda Item 9e and it was seconded by Council Member Black.

MOTION FOR AMENDMENT

Council Member Black offered the following amendment which was seconded by Council Member Arbourgh, and upon roll call, all members present voting "YES", except Council

Members Barthelemy, Rousselle, LaFrance and Blink who voted “NO”, the amendment was adopted by a vote of 5-4:

In the proposition language of the Resolution the following amendments were offered:

- In the language of the proposition “two (2) mills” was removed and replaced with “three (3) mills” and the amount of revenue expected to be collected from the levy of the tax for one year “\$1,970,000” was removed and replaced with “\$2,955,000”.
- In the purpose language of the millage after “medical services” the phrase “directly or by contract or both” was inserted.

In the Election Notice the following amendments were offered:

- In the language of the proposition “two (2) mills” was removed and replaced with “three (3) mills” and the amount of revenue expected to be collected from the levy of the tax for one year “\$1,970,000” was removed and replaced with “\$2,955,000”.
- In the purpose language of the millage after “medical services” the phrase “directly or by contract or both” was inserted.
- When stating the cost of the election, “\$30,000” was removed and replaced with “\$10,066”.

Council Member Cognevich offered the Resolution as amended:

### RESOLUTION NO. 21-116

The following Resolution was offered by Council Member Cognevich and seconded by Council Member Black:

A resolution ordering and calling a special election to be held in the Parish of Plaquemines, State of Louisiana, to authorize the levy of the special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, acting as the governing authority of the Parish of Plaquemines, State of Louisiana, that:

#### SECTION 1

Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Sections 26 and 32 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on **SATURDAY, OCTOBER 9, 2021**, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following propositions, to-wit:

#### PROPOSITION (MILLAGE)

Shall the Parish of Plaquemines, State of Louisiana (the “Parish”), be authorized to levy a tax of three (3) mills on all property subject to taxation within the Parish (the estimated amount reasonably expected to be collected from the levy of the tax for one entire year being \$2,955,000 for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, for the purpose of providing emergency medical services directly or by contract or both in the Parish including acquiring, constructing, improving, maintaining and operating emergency medical service facilities and equipment?

#### SECTION 2

Publication of Notice of Election. A Notice of Special Election shall be published in the *Plaquemines Gazette*, a newspaper of general circulation within the Parish, published in Belle Chasse, Louisiana, and being the official journal of the Parish, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form

attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Council Secretary of the Governing Authority is authorized and directed to make any amendments to the foregoing propositions that may be required to comply with any state or federal regulatory agencies.

### SECTION 3

Canvass. This Governing Authority shall meet at its regular meeting place, the Plaquemines Parish Courthouse, Council Chambers, 18055 Hwy. 15 Pointe-a-la-Hache, Louisiana, on **THURSDAY, OCTOBER 14, 2021**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

### SECTION 4

Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

### SECTION 5

Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election and voting machines shall be used.

### SECTION 6

Authorization of Officers. The Council Secretary is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman of the Governing Authority and/or the Council Secretary are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

### SECTION 7

Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Plaquemines Parish and the Registrar of Voters of Plaquemines Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

### SECTION 8

Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special taxes provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this

Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

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

YEAS: Council Members W. Beau Black, Corey Arbourgh,  
Stuart J. Guey, Trudy Newberry and Mark Cognevich

NAYS: Council Members John L. Barthelemy, Jr., Benedict Rousselle, Carlton  
LaFrance and Richie Blink

ABSENT: None

And the resolution was declared adopted on this, the 22<sup>nd</sup> day of April, 2021.

s/Kim M. Toups  
Council Secretary

s/Mark Cognevich \_\_\_\_\_  
Council Chairman

ORDINANCE NO. 21-46

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

An Ordinance to enact Sec 2-80 of the Plaquemines Parish Code of Ordinances to provide for the solicitation and engagement of a contactor or consultant to seek grant revenue for Plaquemines Parish Government; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government is facing serious fiscal challenges; and

WHEREAS, there are numerous privately funded, state funded and federally funded grants that are available for application; and

WHEREAS, Plaquemines Parish Government could benefit from engaging a contractor and/or consultant to seek grants on behalf of Plaquemines Parish Government;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Sec. 2-80 of the Plaquemines Parish Code of Ordinances is hereby enacted to read as follows:

Sec. 2-80. – Contract Grant Writer.

- a) The President of Plaquemines Parish Government shall, within 30 days of the effective date of this Ordinance advertise a Request for Proposals / Qualifications for a Contract Grant Writer.
- b) The proposals received shall be presented to the Council for consideration of approval.
- c) The terms of compensation set forth in the Request for Proposals / Qualifications shall be limited solely to the contractor consultant being paid solely from the proceeds of the grant, subject to any limitations imposed on such by the terms of the grant.
- d) Any such contract shall be for a term not exceeding one fiscal year, but may include a provision providing for automatic renewal, subject to notice of intent to not renew.

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

Council Member Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., W. Beau Black, Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 22<sup>nd</sup> day of April, 2021.

ORDINANCE NO. 21-47

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

An Ordinance to amend the Five Year Capital Improvements Plan, Plaquemines Parish Ferry Preventative Maintenance FY2016 Project; and otherwise to provide with respect thereto.

WHEREAS, a grant has been awarded to Plaquemines Parish Government from the United States Department of Transportation, Federal Transit Administration FY2016; and

WHEREAS, the funds will be used for preventative maintenance, purchase and installation of operating or maintenance equipment to be located within the Ferry Department; and

WHEREAS, the United States Department of Transportation, Federal Transit Administration FY2016 will grant \$240,000 and the Plaquemines Parish Government is required to provide matching funds in the amount of \$60,000; and

WHEREAS, amending the Five Year Capital Improvements Plan by appropriating \$300,000 to the Plaquemines Parish Ferry Preventative Maintenance FY2016 Project is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby authorizes the Parish President to execute and enforce any and all documents required for the United States Department of Transportation, Federal Transit Administration FY2016 Grant.

SECTION 2

The Five Year Capital Improvements Plan is amended by appropriating a total of \$300,000 to the Plaquemines Parish Ferry Preventative Maintenance FY2016 Project; \$240,000 from the United States Department of Transportation, Federal Transit Administration Grant; and \$60,000 from the Replacement-PALH Ferry Landing Project; funding year 2021.

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 Barthelemy seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey  
Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and  
Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 22<sup>nd</sup> day of April, 2021.

R E S O L U T I O N   N O . 2 1 - 1 1 7

On motion of Council Member Barthelemy, seconded by Council Member LaFrance, and on roll call all members present voting "YES, the following resolution was adopted:

A Resolution authorizing the Parish President to file an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for distribution of the 5307 funds, Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), of 2021 apportionment for the NOUZA; and otherwise to provide with respect thereto.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance to local transportation projects; and

WHEREAS, the Applicant will be required to provide all certifications and assurances to the Federal Transit Administration required in connection with the proposed project; and

WHEREAS, by the Plaquemines Parish Council that the Parish President is also authorized to execute and file with the applications the certifications and assurances and other documents the Federal Transportation Administration requires in connection with the awarding of a Federal assistance grant;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish President is authorized to execute and file applications for Federal assistance for and on behalf of the 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, and/or other Federal statutes authorizing funding for a project administered by the Federal Transit Administration.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 21-48

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

An Ordinance to amend the 2021 Manpower Structure and Operating Expenditure Budget, Ferries-General Department, and otherwise to provide with respect thereto.

WHEREAS, after a review of the manpower needs of the Ferry Department, it has been recommended to fund one Ferry Captain III position at an annual salary of \$49,958 plus benefits; fund one Chief Ferry Engineer position at an annual salary of \$47,108 plus benefits; and to fund two Deckhand positions at an annual salary of \$22,882 plus benefits, each position; and

WHEREAS, it is necessary to amend the 2021 Operating Expenditure Budget, Ferries-General Department;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 Manpower Structure, is amended by funding one Ferry Captain III position at an annual salary of \$49,958 plus benefits; fund one Chief Ferry Engineer position at an annual salary of \$47,108 plus benefits; and to fund two Deckhand positions at an annual salary of \$22,882 plus benefits, each position, in the Ferry Department.

SECTION 2

The 2021 General Fund, Operating Expenditure Budget, Ferries-General Department is amended by appropriating \$100,000 from the General Fund Unreserved/Undesignated Fund Balance and \$200,000 from the Fund Balance Designated for Emergencies, as follows:

<b>Fund:</b> 001 General Fund			
<b>Dept/Div:</b> 735-4370 Ferries-General Department			
<b>Object</b>	<b>Description</b>	<b>Inc/Dec</b>	<b>Amendment</b>
510.005	Salaries & Wages-Regular	Inc	120,850
515.005	FICA Taxes	Inc	1,750
516.105	Retirement	Inc	14,800
517.005	Group Insurance Health	Inc	56,320
523.105	Utilities Electricity	Inc	21,900
523.305	Utilities Water/Sewer/Refuse (Pub Util)	Inc	1,530
527.640	Rentals/Leases Uniforms	Inc	5,770
527.810	Rentals/Leases – Copier Machines	Inc	1,860
548.215	Fuel Diesel-Ferries	Inc	75,220

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 Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey  
Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and  
Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 22<sup>nd</sup> day of April, 2021.

RESOLUTION NO. 21-118

On motion of Council Member Arbourgh, seconded by Council Member Black, and on roll call all members present voting “YES, except Council Members Guey and Newberry who were “ABSENT”, the following resolution was adopted:



A Resolution approving the requested Variance Petition filed by A & S Real Estate, LLC to vary the rear yard setback requirements from 25' to 3.8' for an existing building to be converted from commercial to residential, located at 8660 Highway 23, Belle Chasse, Louisiana, all in accordance with Application No. 2021-454, dated January 4, 2021.

WHEREAS, A & S Real Estate, LLC applied to the Plaquemines Parish Board of Adjustments (Application No. 2021-454, dated January 4, 2021) for variance of the rear yard setback requirements from 25' to 3.8' for an existing building to be converted from commercial to residential located at located at 8660 Highway 23, Belle Chasse, Louisiana; and

WHEREAS, after a public hearing was held on April 6, 2021, providing all interested parties and the public with an opportunity to be heard regarding the proposed Map Change, and the advertisement required by law was made in the Plaquemines Gazette, the official journal of the Parish of Plaquemines; and

WHEREAS, at a meeting held on, April 6, 2021, the Plaquemines Parish Board of Adjustment adopted a resolution favorably recommending the variance as proposed by filed A & S Real Estate, LLC (Application No. 2021-454, dated January 4, 2021) to vary the rear yard setback requirements from 25' to 3.8' for an existing building to be converted from commercial to residential; and

WHEREAS, the Plaquemines Parish Development Board made a recommendation to approve as per Resolution No. 21-01, dated April 6, 2021;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the requested Variance by A & S Real Estate, LLC to vary the rear yard setback requirements from 25' to 3.8' for an existing building to be converted from commercial to residential located at 8660 Highway 23, Belle Chasse, Louisiana, all in accordance with Application No. 2021-454, dated January 4, 2021.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Rousselle offered Agenda Item 9n with changes:

RESOLUTION NO. 21-119

On motion of Council Member Rousselle, seconded by Council Member Cognevich, and on roll call all members present and voting "YES", the following Resolution was adopted:

A Resolution of the Plaquemines Parish Council authorizing special counsel, Dannie P. Garrett, III, to represent the Plaquemines Parish Council for the purpose of legal advice related to the enforcement of Chapter 18, Article V of the Plaquemines Parish Code of Ordinances; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Government has previously engaged Dannie P. Garrett, III, Attorney at Law, LLC to serve as Special Counsel to the Plaquemines Parish Council; and

WHEREAS, the provisions of Chapter 18, Article V of the Plaquemines Parish Code of Ordinances establish the provisions relative the regulation of Borrow Pits, including but not limited to the permitting thereof and the enforcement of the requirements imposed; and

WHEREAS, the Parish President has opted not to assign counsel from the purpose of the enforcement of Chapter 18, Article V, the Parish Council declares that it is in the best interests of the Parish to assign its Special Counsel to the fill this need;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, THAT, Special Counsel, Dannie P. Garrett, III, is hereby authorized and directed to undertake matters pertaining to the enforcement of Chapter 18, Article V of the Plaquemines Parish Code of Ordinances;

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, THAT, the Parish President and the officers and employees of the Executive Branch of Plaquemines Parish Government to assist Special Counsel, Dannie P. Garrett, III, in his efforts toward enforcement of Chapter 18, Article V 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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 21-120

On motion of Council Member LaFrance, seconded by Council Member Cognevich, and on roll call all members present voting “YES, except Council Member Cognevich who “ABSTAINED” and Council Member Rousselle who was “ABSENT”, the following resolution was adopted:

A Resolution authorizing Plaquemines Parish Government’s President to enter into a Cooperative Endeavor Agreement with Phillips 66 Alliance Refinery for levee maintenance at Mississippi River; and otherwise to provide with respect thereto.

WHEREAS, PPG, through the West Bank Levee District, has certain obligations under federal and state law to maintain and inspect the Mississippi River Levee (MRL) that fronts the Phillips 66 Refinery; and

WHEREAS, federal, state and local laws and regulations restrict certain uses of the MRL to assure that the integrity of the structure is maintained and not by private and public uses; and

WHEREAS, the Phillips 66 Refinery is surrounded with perimeter fencing to restrict unauthorized entry to the refinery premises; and

WHEREAS, the perimeter fencing also restricts unauthorized entry to the MRL and batture areas that front the Phillips 66 Refinery; and

WHEREAS, Phillips 66 has constructed security gates which restrict access to the Refinery and the MRL that fronts the Refinery; and

WHEREAS, Phillips 66’s Alliance Refinery (the “Refinery”) owns and operates four docks (the “Docks”) allowing access to the Mississippi River; and

WHEREAS, Phillips 66 uses MRL for security patrols, Docks maintenance, and Refinery operations. Phillips 66 also uses the Levee for vehicular traffic and intermittent use of cranes at the Docks; and

WHEREAS, Phillips 66 use of the MRL causes wear and tear and degrades the surface of the MRL; and

WHEREAS, the Parties wish to cooperate with each other for the purpose of inspecting and maintaining the MRL as required by laws and regulations; and

WHEREAS, the Parties have agreed to enter into a Cooperative Endeavor Agreement to govern the use, inspection, and maintenance of the MRL during varying river level conditions, as measured at the USACE Carrollton river gage; and

WHEREAS, the Plaquemines Parish Government’s Legal Department has reviewed the Cooperative Endeavor Agreement and approves it for execution by the Parish President;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT Plaquemines Parish Government’s President, Kirk Lepine, is hereby authorized to enter into the Cooperative Endeavor Agreement for Levee Maintenance at Mississippi River Levee Fronting Phillips 66 Alliance Refinery, approved by Plaquemines Parish Government’s Legal Department in the form attached to and made an exhibit to this Resolution.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council hereby authorized and directed to immediately certify and release this

Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 21-49

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

An Ordinance to amend the 2021 Public Health Fund, Operating Revenue Budget, Mosquito Control-General; and otherwise to provide with respect thereto.

WHEREAS, Ordinance 20-106 established a Mosquito Control Fee; and

WHEREAS, the Plaquemines Parish Council adopted Ordinance 21-31 which amended Ordinance 20-106, and will bring in less revenues than previously budgeted; and

WHEREAS, the reduction in anticipated revenues will be funded through the Public Health Fund Unreserved/Undesignated Fund Balance; and

WHEREAS, an adjustment to the 2021 Operating Revenue Budget is necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 Public Health Fund, Operating Revenue Budget is amended by appropriating \$15,000 from the Public Health Fund Unreserved/Undesignated Fund Balance as follows:

<b>Fund:</b> 004 Public Health Fund			
<b>Dept/Div:</b> 542-2655 Mosquito Control-General			
<b>Object</b>	<b>Description</b>	<b>Inc/Dec</b>	<b>Amendment</b>
441.100	Fee/Chrg/Com-Pub Saf Mosq Cntrl Fees	Dec	(15,000)

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 Cognevich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., W. Beau Black, Corey Arbourgh, Stuart J. Guey, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member Benedict Rousselle

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 22<sup>nd</sup> day of April, 2021.

RESOLUTION NO. 21-121

On motion of Council Member Black, seconded by Council Member Arbourgh, and on roll call all members present voting “YES, except Council Member Rousselle who was “ABSENT”, the following resolution was adopted:

A Resolution authorizing the Parish President to negotiate office space at 333 F. Edward Hebert Boulevard, Belle Chasse Government Complex, Building 600, to the Veterans Affairs; and otherwise to provide with respect thereto.

WHEREAS, it would greatly benefit the veterans of Plaquemines Parish to have a representative from the Veterans Affairs office to assist our retired service men and women for their most needed services;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the Parish President to negotiate office space at 333 F. Edward Hebert Boulevard, Belle Chasse Government Complex, Building 600, to the Veterans Affairs Office.

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 officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council. At the request of Council Member Guey, Council Member Cognevich reverted back to Agenda Item 9a(1) which was offered with changes:

ORDINANCE NO. 21-50

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

An Ordinance to amend and as amended to readopt Chapter 17.5 – Parks, Recreation and Parish Facilities- of the Plaquemines Parish Code of Ordinances relative to fees and a sponsorship policy; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish recreation fees are substantially less than the fees of surrounding Parishes; and

WHEREAS, due to the dire financial situation of the Parish Government, it is the desire of this Council to increase recreation fees; and

WHEREAS, it is the desire of this Council for the Recreation Department to adopt a Sponsorship Policy to generate additional revenues;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section 17.5 -7 - “Fees for various facilities and activities” of Chapter 17.5 of the Parish Code of Ordinances is hereby amended and reenacted to read as follows:

(b) Athletic Field Rental Fees for non-Parish-run programs:

- (1) There shall be a rental fee to use any Parish owned Athletic Field.
- (2) For Parish residents the Athletic Field Rental fee shall be thirty dollars (\$30.00) per hour without field lights and forty dollars (\$40.00) per hour with field lights.
- (3) For non-Parish residents the Athletic Field Rental fee shall be fifty-five dollars (\$55.00) per hour without field lights and one-hundred dollars (\$100.00) per hour with field lights.
- (4) All athletic fields shall be rented on a first come first serve basis and a reservation shall only be made after a full payment has been made.

(5) Plaquemines Parish Volunteer Fire Departments are hereby exempted from the Athletic Field Rental Fees.

(g) The Plaquemines Parish Recreation Department is hereby authorized to adopt a sponsorship policy and carry out its purposes accordingly.”

#### SECTION 2

All prior provisions of ordinances and resolutions in conflict with this Ordinance shall be null and void. And all other provisions of Section 17.5-7 shall remain unchanged and in full force and effect.

#### SECTION 3

Due to the inability of the Plaquemines Recreation Advisory Committee (Committee) to reach a quorum, any requirement by Resolution No. 19-157 that decisions for youth recreation programs be brought for a vote before the committee prior to implementation is hereby waived and deemed inapplicable to the adoption of this Ordinance.

#### 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 Newberry seconded the motion to adopt the Ordinance.

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

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey  
Benedict Rousselle, Trudy Newberry, Richie Blink and Mark Cognevich

NAYS: Carlton M. LaFrance

ABSENT: Council Member Benedict Rousselle

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 22<sup>nd</sup> day of April, 2021.

Council Member Cognevich moved to Agenda Item 10, “Approval of the Minutes”. Without objection, so ordered.

#### RESOLUTION NO. 21-122

On motion of Council Member Cognevich, seconded by Council Member Newberry, and on roll call all members present and voting “YES”, except Council Member Rousselle who was “ABSENT”, the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the April 8, 2021, regular meeting, as recorded by the Secretary of this Council.

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 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 Cognevich advanced to Agenda Item 11, “New Business”. Without objection, so ordered.

There were no matters under 11a, “Resolutions wherein suspension is being sought”.

Under Agenda Item 11b, “District 9 update” the following was discussed by Council Member Cognevich:

- Water and Sewer: every time it rains Council Member Cognevich gets a 100 calls but, he knows the Administration cannot do much because its Severn Trent. He has spoken to the Vice-President of Severn Trent but nothing has been done. Mr. Eppley said its part of the infrastructure improvements but it would cost millions of dollars to do.
- During the recent rain events Council Member Cognevich was out in the rain using his own shovel and rake digging out ditches. Some of these ditches have outstanding work requests for a long time. He said he knows the Administration had a machine down there today but he would like them to finish the job. President Lepine asked if he was referring Orangewood and President Lepine assured him they will definitely finish. The President has a list of all ditches and they are making a conscious effort to dig one ditch in each district as soon as they can. Please be patient 3 operators right now.

Under Agenda Item 11c, “District 8 update” Council Member Blink asked if there any talks to get local contractors to dig ditches. Some have shown interest in doing the job and they are willing to do this type work and to cut grass also. President Lepine said they would look into it, evaluate it and go out for proposals.

Under Agenda Item 11d, “District 1 update” Council Member Barthelemy asked the Administration to provide information on the below at the next meeting:

- List of outfall ditches and a commitment as to when they will start cleaning them.
- Where the Administration is with the CEA with the PALH VFD
- Update on PALH ferry ramp
- What type summer recreation will be available on the East Bank
- Status of the Pumps on Lower East Bank
- Status of Davant Park

There being no further business to come before this Council, a Motion Adjourn was offered by Council Member Black, seconded by Council Member Blink and on roll call, all members present voting “YES”, except Council Member Rousselle and LaFrance who were “ABSENT”, the meeting was adjourned at 6:02 p.m. by a vote of 7-0.

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Council Chairman

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Council Secretary