

Minutes of a meeting of the Plaquemines Parish Council, held in the Belle Chasse Council Building Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, August 12, 2021, at 5:53 p.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, Council Secretary

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine and Charter Directors Crystal Taylor and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 9g, “An Ordinance to amend the 2021 General Fund, Manpower Structure and Operating Expenditure Budget; and otherwise to provide with respect thereto”;
- 9i, “An Ordinance to amend the 2021 General Fund, Operating Expenditure Budget, Swimming Pools-Davant Department; and otherwise to provide with respect thereto” was offered and seconded for discussion only. A discussion was held and then the matter was deferred;
- 9m, “An Ordinance to amend the Five Year Capital Improvements Plan, Restore Act Projects Project and Restore Act-Administration Project; and otherwise to provide with respect thereto”;
- 11b, “District 9 update-items 1) Ditches Item 3) Grass cutting and 5) The State and Broadband internet”;
- 11d, “District 1 update”;
- 11e, All items under “District 7 update”;
- 11f, All items under “District 5 update”;
- 11g, “District 6 update”; and
- 11j, “Metropolitan Human Services presentation”.

The following items were withdrawn:

- 7a(1), “Gillen Engineering, LLC, Application No. 2021-282, dated March 26, 2021, drill six boring for the Glen Oaks Development (four-multi family structures), intersection of Russell Drive and LA Highway 23, Belle Chasse”;
- 9a(1), “An Ordinance to amend the Five Year Capital Improvements Plan, Land Acquisition-F. Edward Hebert Blvd Project; authorize the Parish President to do all things necessary and proper to either acquire by public auction or private sale the property known as Tract B, on the Map of Division, Property of the State of Louisiana, Department of Health and Hospitals, Belle Chasse, LA by Hugh McCurdy, III, LA PLS Number 4647, dated December 8, 2009, containing 18.67 acres, more or less, across F. Edward Hebert Blvd. from the Plaquemines Parish Government Complex; and otherwise to provide with respect thereto” was offered and seconded for discussion only. The item was discussed and then withdrawn;
- 9c, “A Resolution of the Plaquemines Parish Council to issue a summons, under the authority of Section 4.02(B) of the Charter for Local Self Government; and to provide for related matters”;
- 9f, “A Resolution of the Plaquemines Parish Council authorizing and directing the initiation of litigation related to the proposed Belle Chasse Bridge Project; authorizing and directing the Chairman, Mark Cognevich to engage special counsel for such litigation; and otherwise to provide with respect thereto”; and

- 11i, “Consideration of authorization of the filing of an action for declaratory judgment in regard to Chapter 18, Article V of the Plaquemines Parish Code of Ordinances, as recommended by Council attorney”.

Council Member Cognevich moved to Agenda Item 2, “Executive Session”. Without objection, so ordered.

#### RESOLUTION NO. 21-204

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby resolves itself into Executive Session at 5:55 p.m. for the purpose of hearing a report and recommendations and strategy advice for the management of litigation from its attorney concerning: To receive privileged attorney-client information in regard to initiating legal action to seek a Declaratory Judgement on the enforceability of the existing provisions of Chapter 18, as all existing and future borrow pits in the Parish, in accordance with LRS 42:17(A)(10).

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby came out of Executive Session at 6:19 p.m. with no final or binding action taken.

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

- COVID: Cases are on the rise and if you are sick President Lepine asks that you stay home. He also encourages everyone to wear a mask and get vaccinated. As of August 12 the numbers are as follows: Confirmed cases 2,350; Confirmed deaths 29; and Positivity Rate is 14.7%. Vaccines are available at the Plaquemines Parish Health Department, Plaquemines Pharmacy, Plaquemines Medical Center and Delta Drugs. COVID Tests are being offered 24 hours a day, 7 days a week at Plaquemines Medical Center for free;
- President Lepine discussed the road construction in the Belle Chasse area; and
- Football registration is now open for ages 5-14 years old and will continue through August 23<sup>rd</sup>. Registration can be done online or at any Recreation Department Office.

Council Member Guey spoke regarding COVID stating that the data shows the bulk of people infected, specifically 90%, are unvaccinated. He further stated that everyone has the right to make their own decision to get vaccinated or not to get vaccinated and he is not arguing with that right. However, if masks are not worn and people are not social distancing, the transfer rate is very high. He asks that everyone take this information into consideration.

Council Member Cognevich moved to Agenda Item 4a, “Update by Charter Directors”. Without objection so ordered. There were no reports made by the Directors; however, Council Members had questions about and discussed the following matters:

- Council Member LaFrance asked President Lepine to relay to Todd Eppley that the residents of Grand Bayou have told him their water bill are being estimated. President Lepine said that he thought they were the first ones to get the automated water meters; however, he will check with Director Eppley; and
- Council Member Barthelemy said he is concerned about the Air Conditioner in the Davant Center and money has been appropriated to fix it but it is still not working. He asks that Mr. Eppley provide an update on this matter at the next Council Meeting;

Council Member Cognevich moved to Agenda Item 9d. Without objection, so ordered.

#### RESOLUTION NO. 21-205

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

A Resolution of the Plaquemines Parish Council, specifically authorizing and tasking Council Special Counsel, Dannie P. Garrett, III, Attorney at Law, LLC to

initiate and litigate a petition for declaratory judgment related to Chapter 18, Article V of the Plaquemines Parish Code of Ordinances and prior agreements related thereto; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council has previously engaged Dannie P. Garrett, III, Attorney at Law, LLC as Special Counsel, as provided in Plaquemines Parish Home Rule Charter Section 5.02(C); and

WHEREAS, in the past there have been disputes about the extent of the applicability of the Chapter 18, Article V of the Plaquemines Parish Code of Ordinances; and

WHEREAS, there were agreements entered related to various permittees holding prior and expired permits under Chapter 18, Article V of the Plaquemines Parish Code of Ordinances; and

WHEREAS, there have recently and will be in the near future new permits that are to be considered for award by the Plaquemines Parish Council under Chapter 18, Article V of the Plaquemines Parish Code of Ordinances; and

WHEREAS, there is confusion as to the applicability of Chapter 18, Article V of the Plaquemines Parish Code of Ordinances to the recently issued and future permits;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT Dannie P. Garrett, III, Attorney at Law, LLC is authorized and directed, under the terms of the existing contract between Dannie P. Garrett, III, Attorney at Law, LLC and the Plaquemines Parish Council, to initiate and litigate a petition for declaratory judgment related to Chapter 18, Article V of the Plaquemines Parish Code of Ordinances and prior agreements related thereto to resolve the questions of law related thereto.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT Dannie P. Garrett, III, Attorney at Law, LLC is authorized and directed to include as party defendants to such matter parties with pending permit applications and those awarded a permit on or after January 1, 2020.

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 reverted back to Agenda Item 7a(2). Without objection, so ordered.

Council Member LaFrance offered the permit application for Plaquemines Dirt & Clay, LLC, Application No. 2021-335 for discussion only and it was seconded by Council Member Cognevich. A discussion was held and then Council Member Cognevich removed his second in order for Council Member LaFrance to offer the item for a vote.

#### RESOLUTION NO. 21-206

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following application for construction permit in the Parish of Plaquemines is hereby approved, without the requested variance and the permit variance agreement contained therein: Plaquemines Dirt & Clay, LLC, Application No. 2021-335, dated April 16, 2021, continuation of existing borrow pit operation, 22222 Highway 23, Port Sulphur.

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 Cognevich moved to Agenda Item 5, "Bids and Advertisements". Without objection, so ordered.

RESOLUTION NO. 21-207

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

A Resolution authorizing the acceptance of bids for furnishing Mosquito Chemicals for a period of one year for use by the Mosquito Control Department.

WHEREAS, after due advertisement bids were received on July 27, 2021, for furnishing Mosquito Chemicals for a period of one year for use by the Mosquito Control Department as follows: Adapco Inc., 550 Aero Lane, Sanford, FL 32771-6342; Gaubert Oil, 1201 St Patrick Hwy, Thibodaux, LA 70301; Target Specialty Products, 1225 N Post Oak Road, Houston, TX 77055; and Clarke Mosquito Control Products, 675 Sidwell Court, St Charles, IL 60174; all bids on file in the Parish Purchasing Agent's Office and made a part hereof by reference to; and

WHEREAS, Ms. Brenda Stanifer, Purchasing Agent, recommends the acceptance of the low bid of Gaubert Oil for Item I; and the low bid of Clarke Mosquito Control Products for Item II; 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 Gaubert Oil, 1201 St Patrick Hwy, Thibodaux, LA 70301 for Item I, and to issue purchase orders on an as needed basis, to Clarke Mosquito Control Products, 675 Sidwell Court, St Charles, IL 60174 for Item II, for the purchase of Mosquito Chemicals, for use by the Mosquito Control Department, all in accordance with bid submitted by said vendor on July 27, 2021, on file in the Parish Purchasing Agent's Office.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT Kirk Lepine, Parish President, be and he is hereby authorized for and on behalf of the Plaquemines Parish Government, to enter into a contractual agreement with Gaubert Oil and Clarke Mosquito Control Products, for furnishing mosquito chemicals, for a period of one year, beginning August 12, 2021, through August 11, 2022.

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

There were no items under Agenda Item 6, "Beer and Liquor Licenses". Without objection, so ordered. Therefore, Council Member Cognevich moved to Agenda Item 7, "Building Permits". Without objection, so ordered.

Items 7a(3) through 7a(9) were taken *en globo*:

RESOLUTION NO. 21-208

On motion of Council Member Barthelemy, seconded by Council Member Blink, and on roll call all members present and voting "YES", except Council Member Cognevich who "ABSTAINED" and Council Member Black who was "ABSENT", 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. 2021-557, dated June 25, 2021, install 2-inch and 3-inch flowlines, walkway and test Separator facility, Bay Ronquille area; Helis Oil & Gas Company, LLC, Application No. 2021-567, dated June 29, 2021, install pile clusters, drill the SL 195 QQ No. 49 and install well head protector, 2-inch gas lift line and 4-inch flowline, Southeast Black Bay Field; Shell Pipeline Company, LP, Application No. 2021-596, dated July 12, 2021, proposed anomaly repairs on existing 20-inch Delta Crude Nairn to Norco pipeline, East of Bay De La Chenier Area; Whitney Oil & Gas, LLC, Application No. 2021-603, dated July 14, 2021, wheel-wash, install pile clusters, drill the S.L. 1388 Location "I" and install well protection structure and two 4-inch flowlines, East Bay Field; Whitney Oil & Gas, LLC, Application No. 2021-604, dated July 14, 2021, install pile clusters, drill the Well Location "H" and install well protection structure and two 4-inch flowlines, South Pass Area Block 24 Field in East Bay Field; Targa Resources, Application No. 2021-622, dated July 20, 2021, construct two protection levees and raise an existing road at the Venice Gas System Complex, 1565 Tidewater Road, Venice; Helis Oil & Gas Company, LLC, Application No. 2021-566, dated June 29, 2021, install pile clusters, drill the SL 195 QQ Well No. 48 and install well head protector, 2-inch gas lift line and 4-inch flowline, Southeast Black Bay 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.

Agenda Item 7b, "Shawn Martinez, 4<sup>TH</sup> Trailer Residence, 119B Matherne Lane, Belle Chasse, Louisiana" was offered by Council Member Blink and seconded by Council Member Guey for discussion only. The matter was discussed and then Council Member Guey removed his second in order for Council Member Blink to offer the matter for a vote. Upon Council Member Blink offering this item, Council Member Cognevich asked for a second three times to no avail. Therefore, the matter died for lack of a second.

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 swapping the locations of the two regularly scheduled October meetings of the Plaquemines Parish Council; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
2. An Ordinance to levy millages on the 2021 tax roll on all property subject to taxation by Plaquemines Parish Government; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
3. An Ordinance to amend the 2021 Waterworks & Sewerage Fund, Operating Expenditure Budget, Waterworks & Sewerage Operations Department; and the Five Year Capital Improvements Plan, Repairs-Buras WWTP Project; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
4. An Ordinance to amend the 2021 Operating Revenue Budget; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
5. An Ordinance to amend the 2021 Boat Harbors & Shipyards Fund, Operating Expenditure Budget; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
6. An Ordinance to release servitude created by that certain Ingress and Egress Agreement dated April 18, 1984, by and between Citrus Lands of Louisiana, Inc. and Plaquemines Parish Commission Council; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
7. An Ordinance by the Plaquemines Parish Council, as and on behalf of the West Bank Levee District and Buras Levee District, to appropriate new Temporary Work Area Easements in certain portions of lands in Plaquemines Parish, Louisiana to construct the New Orleans to

Venice (NOV), West Bank Hurricane Protection Levee Project NOV-09, St. Jude to City Price, Plaquemines Parish, Louisiana for levee, floodwall, drainage, flood, access and hurricane protection purposes; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE

8. An Ordinance by the Plaquemines Parish Council, as and on behalf of the Buras Levee District, to appropriate a new Temporary Work Area Easement in a certain portion of land in Plaquemines Parish, Louisiana to construct the New Orleans to Venice (NOV), West Bank Hurricane Protection Levee Project NOV-10, Happy Jack to Nairn, Plaquemines Parish, Louisiana for levee, floodwall, drainage, flood, access and hurricane protection purposes; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
9. An Ordinance approving a plan of re-subdivision of the property of The Parks of Plaquemines, Plaquemines Parish, Louisiana, as shown on the map of the Parks of Plaquemines, Phase 3B and 3C being a re-subdivision of a portion of Tract 3-D-2, Section B of Belle Chasse Plantation into Lots 60V through 77V, Lots 204 through 225, and Lots 227 and 228, and Home Owners Association Tract 10H and Streets by Bryant Hammett and Associates, certified by Hugh McCurdy III, PLS, dated June 30, 2021, the owner having fulfilled all the requirements of the Subdivision and Re-subdivision 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 BLACK
10. An Ordinance approving a plan of resubdivision of the property of Hero Land Company, Plaquemines Parish, State of Louisiana, as shown on the map of resubdivision, Tract D3B into D3B1 and D3B2, Belle Chasse, Louisiana, by Bryant Hammett and Associates, certified by Hugh Mc Curdy, III, P.L.S., dated June 14, 2021, the owner 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 BLACK
11. A Resolution assigning Buildings 1000, 1001, 1002 and the adjacent green space on the Belle Chasse Government Complex, located at 333 F. Edward Hebert Blvd, Belle Chasse, Louisiana, to the Plaquemines Parish Sheriff's Office and furthermore authorizing the Parish President or his designee, to enter into a Cooperative Endeavor Agreement with the Sheriff's Office for such purposes and otherwise to provide with respect thereto. COUNCIL MEMBER BLACK
12. A Resolution expressing the Plaquemines Parish Government's continued support of the Peters Road Extension, State Project No. H.008068; urging the Louisiana Department of Transportation and Development to move forward with identifying the funding needed to accomplish this Project; and otherwise to provide with respect thereto. COUNCIL MEMBER ROUSSELLE
13. A Resolution of the Plaquemines Parish Council to revoke the dedication and abandon a portion of a Last Cast Lane; and otherwise to provide with respect thereto. COUNCIL MEMBER BLINK
14. An Ordinance to amend the Five Year Capital Improvements Plan, Reach C Culvert Closure-Phoenix to Bohemia Project; and otherwise to provide with respect thereto. COUNCIL MEMBER BARTHELEMY

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

#### ORDINANCE NO. 21-78

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

An Ordinance approving a plan of resubdivision of the property of Thai Huu Nguyen, the owner, of property located in Buras, Plaquemines Parish, Louisiana, as shown on a map of resubdivision, Lot 6 into Lots 6A and 6B, Buras, Louisiana, by Dufrene Surveying & Engineering, Inc., dated January 29, 2021, revised July

14, 2021, the owner 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.

WHEREAS, Thai Huu Nguyen, is the owner of property, situated in Lot 6, Buras, Parish of Plaquemines, State of Louisiana, as more fully shown on the plan and plat of resubdivision by Dufrene Surveying & Engineering, Inc., dated January 29, 2021, revised July 14, 2021, a print whereof is annexed and hereto and made a part hereof; and

WHEREAS, Thai Huu Nguyen, as the owner of said property, has proposed the resubdivision of property, of Thai Huu Nguyen, located in Buras, Plaquemines Parish, Louisiana, into Lot 6A and 6B, Plaquemines Parish, Louisiana, as more fully shown on said plan; and

WHEREAS, all streets, utilities, drainage structures and other improvements shown on the aforementioned map of survey are in place; and

WHEREAS, the owner/developer understands that he and subsequent owners of the property is responsible for the cost, installation, maintenance or improvements of the sewerage and water infrastructure to connect to the public utilities shown on the aforementioned map; and

WHEREAS, the owner/developer understands that he and subsequent owners of the property will be responsible for the maintenance of future and all existing non-dedicated streets, roads, right of ways, utilities, drainage and structures and other improvements shown on the aforementioned plan and plat of survey are in place; and

WHEREAS, the Plaquemines Parish Government accepts no responsibility or liability for the construction, maintenance or improvements of any future or now existing non-dedicated streets, roads, right of ways, utilities, drainage structure and other improvements that may be shown on the aforementioned plan and plat of survey; and

WHEREAS, the owner/developer and subsequent owners of the property shall be responsible for the construction and maintenance of future and all existing non-dedicated streets, roads, rights of ways, utilities, drainage structures and other improvements that may be shown on the aforementioned plan and plat of survey;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

#### SECTION 1

The aforesaid plan of resubdivision of property of Lots 6 into Lots 6A and 6B, Buras, Plaquemines Parish, Louisiana, as shown on a plan and plat of survey by Dufrene Surveying & Engineering, Inc., dated January 29, 2021, revised July 14, 2021, a print where of annexed hereto and made a part hereof, is hereby approved, and that the approval of the Parish President and Directors and all appropriate Parish Department Heads of the aforesaid plan and plat of survey be ratified.

#### SECTION 2

The Parish President be and is hereby authorized to appear before a Notary Public, and execute the approved aforesaid plan or resubdivision of owner as depicted on plan and plat of survey by Dufrene Engineering, Inc., dated January 29, 2021, revised July 14, 2021, for the Parish of Plaquemines and the Plaquemines Parish Government, and to execute any and all acts of documents necessary and proper in the premises to give full force and effect to the aforesaid Ordinance.

SECTION 3

The Plaquemines Parish Government accepts no responsibility or liability for construction, maintenance or improvements of any future or now existing non-dedicated streets, roads, right of ways, utilities, drainage structures and other improvements that may or may not be shown on the aforementioned plan and plat of survey or later developed.

SECTION 4

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

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12<sup>th</sup> day of August, 2021.

ORDINANCE NO. 21-79

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

An Ordinance authorizing the Parish President to do all things necessary and proper to accept and record a 20' drainage and utility servitude donation from the Plaquemines Parish School Board; and otherwise to provide with respect thereto.

WHEREAS, it has become necessary to acquire an additional servitude to complete the installation of sewer services along Barthelemy Lane; and

WHEREAS, at its July 12, 2021 meeting, the Plaquemines Parish School Board authorized the donation of a 20' drainage and utility servitude, which contains 47,885 square feet and is all and more fully shown on the attached map Proposed Drainage and Utilities Servitude (Exhibit A), property of, Plaquemines Parish School Board by Bryant Hammett and Associates, certified by Hugh McCurdy III, PLS, July 14, 2021; and

WHEREAS, for consideration of the donation, Plaquemines Parish Government agrees to install a water main providing the Plaquemines Parish School Board with water and fire protection services;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

It hereby authorizes the Parish President to do all things necessary and proper to accept and record the following donation from the Plaquemines Parish School Board:



A SERVITUDE FOR DRAINAGE AND UTILITIES, on and across the property of the Plaquemines Parish School Board, situated in Plaquemines Parish, Louisiana, Township 15 South, Range 24 East, Section 19, and Township 16 South Range 24 East Section 2, Star Plantation, West of the Mississippi River and being more fully described as follows:

BEGINNING at the intersection of the line between the properties of the heirs George Duplessis et al (Barthelemy Lane) and the Plaquemines Parish School Board (Belle Chasse Middle School) with the westerly or marsh side right of way line of State Highway 23, having a 1983 Louisiana South Zone Coordinate of X=3,701,713.23 feet and Y=450,710.00 feet;

Thence South 42 degrees 36 minutes 28 seconds East, along the westerly right of way line of State Highway 23, 20.32 feet to a point;

South 57 degrees 34 minutes 36 seconds West, along a line 20 feet southerly or below and parallel with the line between the properties of the heirs George Duplessis et al (Barthelemy Lane) and the Plaquemines Parish School Board (Belle Chasse Middle School) 2395.18 feet to a point on the top of bank of the Parish Drainage Canal;

Thence North 37 degrees 29 minutes 02 seconds West, along the top of bank of the Parish Drainage Canal, 20.08 feet to the intersection with the line between the properties of the heirs George Duplessis et al (Barthelemy Lane) and the Plaquemines Parish School Board (Belle Chasse Middle School);

Thence North 57 degrees 34 minutes 36 seconds East, along the line between the properties of the heirs George Duplessis et al (Barthelemy Lane) and the Plaquemines Parish School Board (Belle Chasse Middle School), 2393.36 feet to the POINT OF BEGINNING.

The above described servitude contains 47,885 square feet and is all and more fully shown on the attached map Proposed Drainage and Utilities Servitude, property of, Plaquemines Parish School Board by Bryant Hammett and Associates, certified by Hugh McCurdy III, PLS, July 14, 2021 (Exhibit A).

## 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 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., W. Beau Black, Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12<sup>th</sup> day of August, 2021.

Council Member Barthelemy offered Agenda Item 9b with changes.

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

An Ordinance to amend the 2021 General Fund, Operating Expenditure Budget, Flood Control-General Department; and otherwise to provide with respect thereto.

WHEREAS, upon review of the 2021 Operating Expenditure Budget, an amendment to the Flood Control-General Department is necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 General Fund, Operating Expenditure Budget, Flood Control-General Department, is amended by appropriating \$600,000 from General Fund Unreserved/Undesignated Fund Balance as follows:

<b>Fund:</b> 001 General Fund			
<b>Dept/Div:</b> 770-4500 Flood Control-General Department			
<b>Object</b>	<b>Description</b>	<b>Inc/ Dec</b>	<b>Amendment</b>
510.010	Salaries & Wages Overtime	Inc	100,000
548.210	Fuel Diesel-Off Road	Inc	500,000

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, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12<sup>th</sup> day of August, 2021.

ORDINANCE NO. 21-81

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

An Ordinance to amend the 2021 Operating Revenue Budget and to designate all American Rescue Plan funding; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding from the American Rescue Plan Act of 2021 in the amount of \$4,505,745; and

WHEREAS, the funding will be received in two payments; one-half following the enactment (received June 28, 2021) and one-half 12 months following the receipt of the first payment; and

WHEREAS, it is the desire of the Parish President and the Parish Council to designate all revenues received from the American Rescue Plan and to restrict all appropriations of the American Rescue Plan funds to only those expenditures eligible under the plan guidelines; and

WHEREAS, amending the 2021 Operating Revenue Budget, is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 Operating Revenue Budget is amended as follows:

<b>Fund:</b> 001 General Fund			
<b>Dept/Div:</b> 000-0000 Revenues			
<b>Object</b>	<b>Description</b>	<b>Inc/Dec</b>	<b>Amendment</b>
426.001	American Rescue Act Plan	Inc	2,252,872.50

SECTION 2

The Parish Council hereby designates the amount of \$2,252,872.50 to the Fund Balance Designated for the American Rescue Plan.

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 Blink 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, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12<sup>th</sup> day of August, 2021.

RESOLUTION NO. 21-209

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

A Resolution authorizing the Plaquemines Parish Government's President to enter into a Cooperative Endeavor Agreement with the Coastal Protection Restoration

Authority (CPRA) for the Reach C Culvert Closure-Phoenix to Bohemia Project;  
and otherwise to provide with respect thereto.

WHEREAS, the Coastal Protection Restoration Authority (CPRA) has pledged funding in the amount of \$2,300,000 to Plaquemines Parish Government for the Reach C Culvert Closure-Phoenix to Bohemia project; and

WHEREAS, the Plaquemines Parish Council feels it is in the best interest of Plaquemines Parish Government to enter into a Cooperative Endeavor Agreement with the Coastal Protection Restoration Authority (CPRA) for the Reach C Culvert Closure-Phoenix to Bohemia project;

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 with the Coastal Protection Restoration Authority (CPRA) for the Reach C Culvert Closure-Phoenix to Bohemia Project.

BE IT FURTHER RESOLVE 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 Black left the meeting at 8:04 p.m.

#### RESOLUTION NO. 21-210

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

A Resolution authorizing the Plaquemines Parish Community Agency to prepare the necessary application to the Louisiana Workforce Commission receiving the Community Services Block Grant Funds for the Program Year 2022 and authorizing the President of the Plaquemines Parish Government to sign and submit said application and contract.

WHEREAS, the Louisiana Workforce Commission, through the Community Services Block Grant Act, has designated the eligible entity for administering the funds for the program year 2022 within the Parish of Plaquemines; and

WHEREAS, the Plaquemines Parish Community Action Agency has received federal and state recognition as the eligible entity within the Parish of Plaquemines for receiving and administering Community Services Block Grant Funds;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby designates and authorizes the Plaquemines Parish Community Action Agency to prepare the necessary application to the Louisiana Workforce Commission for receiving and administering the Community Services Block Grant Funds for the program year 2022.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the President of the Plaquemines Parish Government sign said application and contract pursuant to contract form on file in the Office of the Secretary of the 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 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 Arbourgh and Council Member Barthelemy left the meeting at 8:07 p.m.

RESOLUTION NO. 21-211

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

A Resolution authorizing the Plaquemines Parish Community Action Agency to prepare the necessary application to the Louisiana Housing Corporation (LHC) for a grant to provide utility assistance to the residents of Plaquemines Parish for the Fiscal Year 2022 and authorizing the President of the Plaquemines Parish Government to sign and submit said application and contract; and otherwise to provide with respect thereto.

WHEREAS, the Louisiana Housing Corporation (LHC) plan to provide home energy assistance to eligible households within Plaquemines Parish, for the fiscal year 2022;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the Plaquemines Parish Community Action Agency to prepare the necessary application to the Louisiana Housing Corporation (LHC) for receiving and administering a grant to provide utility assistance to the residents of Plaquemines Parish for the Fiscal Year 2022.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the President of the Plaquemines Parish Government to sign said application and contract and a fully executed copy of the contract will be on file in the legal department.

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. 21-212

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

A Resolution authorizing the Plaquemines Parish Community Action Agency to prepare and file an application with the Louisiana Department of Transportation and Development, on behalf of the Plaquemines Parish Government, for a grant under 49CFR 5311, Formula Grant for Rural Areas and/or 49 CFR 5339, Grants for Bus and Bus Facility Program, as amended, to provide public rural transportation to the residents of Plaquemines Parish and further authorizing Plaquemines Parish President to execute and file with such application an assurance or any other documents required.

WHEREAS, the Secretary of Transportation and Development is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the Council, including the provisions by it of the local share of the project costs; and

WHEREAS, it is required by the Louisiana Department of Transportation and Development in accordance with the provisions of Title VI of the Civil rights Act of 1964, that in connection with the filing of an application of assistance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Plaquemines Parish Government that minority business enterprises be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment or consultants and other services;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Plaquemines Parish Community Action Agency is hereby authorized to prepare and file an application on behalf of the Plaquemines Parish Government with the Louisiana Department of Transportation and Development, to aid in the financing of operating and/or capital assistance projects pursuant to the Rural Public Transit Program, for a grant under 49CFR 5311, Formula Grant for Rural Areas and/or 49 CFR 5339, Grants for Bus and Bus Facility Program, as amended, to provide public rural transportation to the residents of Plaquemines Parish.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the President of the Plaquemines Parish Government to execute and file with such application an assurance or any other document required by the Louisiana Department of Transportation and Development effectuating the purpose of Title VI of the Civil Rights Act of 1964, as amended.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Superintendent of the Plaquemines Parish Community Action Agency is hereby authorized to furnish such additional information as the Louisiana Department of Transportation and Development may require in connection with the application or the project.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Plaquemines Parish President is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish President is authorized to execute grant contract agreements on behalf of the Plaquemines Parish Government with the Louisiana Department of Transportation and Development for aid in the financing of the operating or capital assistance projects.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT this Resolution is applicable for a period of one year unless revoked by the Governing Body and copy of such revocation shall be furnished to the Department of Transportation and Development.

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. 21-82

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

An Ordinance authorizing the acceptance of donations for the Homeland Security/ Emergency Preparedness Department and to amend the General Fund, 2021 Operating Revenue and Expenditure Budgets, Homeland Security/Emergency Preparedness Department; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has received donations to be used by the Homeland Security/Emergency Preparedness Department; and

WHEREAS, amending the General Fund, 2021 Operating Revenue and Expenditure Budgets, Homeland Security/Emergency Preparedness Department is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Plaquemines Parish Council hereby authorizes acceptance of the following donations for the Homeland Security/Emergency Preparedness Department:

Phillips 66	\$4,851
Chevron	\$4,851

SECTION 2

The General Fund, 2021 Operating Revenue and Expenditure Budgets, Homeland Security/Emergency Preparedness Department is amended as follows:

<b>Fund:</b> 001 General Fund			
<b>Dept/Div:</b> 468-2225 Homeland Sec/Emergency Preparedness			
<b>Object</b>	<b>Description</b>	<b>Inc/Dec</b>	<b>Amendment</b>
470.056	Misc Rev Donations Emerg Preparedness	Inc	9,702
541.290	Supplies-Emergency	Inc	9,702

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 Blink seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Stuart J. Guey, Benedict Rousselle, Trudy Newberry, Carlton M. LaFrance, Sr., Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members John L. Barthelemy, Jr., W. Beau Black and Corey Arbourgh

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12<sup>th</sup> day of August, 2021.

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

RESOLUTION NO. 21-213

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



BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the July 22, 2021, regular meeting and the July 29, special 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 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 Cognevich moved to Agenda Item 11, “New Business”. Without objection, so ordered.

There were no items listed under 11a for suspension.

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

- Item 2) Boat Harbor Billing: Council Member Cognevich met with Go Park this past Saturday and they discussed putting up signage in different languages.
- Item 4) “No Wake” signs: Council Member Cognevich sponsored legislation setting a “No Wake Zone” from Cypress Cove cleaning station to Slip 2 which was adopted about a year and one-half ago but no signs have been put up. Saturday a big offshore boat flew by and a man fell on his shrimp boat. His arm was injured when it got smashed between the boat and the dock. He asked the Administration to put up the signs.

Under Agenda Item 11c, “District 8 update”, Council Member Blink discussed the following:

- He said that at the next Port meeting he will be introducing a resolution relative to the Southern Closure. He further stated that close attention needs to be paid to the coordination efforts between the Port and Parish Administrations; and
- Money has been appropriated by the State to place lights on the Empire Bridge and he doesn’t feel this is necessary since there has been no lights on since the bridge was built in 1975. Council Member Blink feels the money could be put to better use such as repairing the four-lane highway. John Helmers said multiple people approached him and they are in favor of the lights on the bridge. Council Member Blink made the argument that DOTD cannot even keep up with the red and green lights on the bridge and John Helmers said it is a decision the entire Council needs to make. President Lepine said the lights on the bridge is a Capital Outlay project and the money cannot be moved.

Under Agenda Item 11h, “Status of the Latter & Blum contract and the marketing of Parish Property, Council Member Rousselle asked for an update. President Lepine said they are actively working on this and the study was done on the Popich Building. As soon as the report is in, he will let the Council know. Council Member Rousselle inquired about any action on Port Eads and he was told by President Lepine that there are a couple of bites.

Under Agenda Item 11k, “Discussion and announcement of the Veteran’s Affairs Office opening, Council Member Rousselle announced Mr. Patrick Duhe is the Veterans’ Affairs Counselor and is back on the Belle Chasse Government Complex located at 333 F. Edward Hebert Blvd., Bldg. 600. The office is open on Tuesdays and Thursdays from 9:30 a.m. to 3:00 p.m. He can be reached by phone at 504-934-6110 or via email at [Patrick.duhe@la.gov](mailto:Patrick.duhe@la.gov) The Veterans Affairs website is [www.vetaffairs.la.gov](http://www.vetaffairs.la.gov) Mr. Duhe is trying to help Veterans and notices should be put out that the VA office is open.

There being no further business to come before this Council, on motion Council Member Rousselle, seconded by Council Member LaFrance and on roll call all members present voting “YES” except Council Members Barthelemy, Black and Arbourgh who were “ABSENT”, the meeting adjourned at 8:22 p.m.

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Chairman

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Secretary

For a full transcript of discussions and presentations a video of this meeting is available for viewing on the Parish website [www.plaqueminesparish.com](http://www.plaqueminesparish.com) or on YouTube.