

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in the Belle Chasse Council Building Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, January 9, 2020, at 5:01 p.m., pursuant to notice to all members with a quorum present as follows:

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

Kim M. Toups, Secretary

Sandy Sanders, Paul Matthews, Chambrel Riley, Donald Durr and Christie Nielsen were present to represent the Port.

The Prayer said and the Pledge was recited.

The following item was withdrawn:

- 6b, “A Resolution of the Plaquemines Parish Council, acting as the sole governing authority of the Plaquemines Port, Harbor and Terminal District, accepting the operational authority and the budgetary responsibility of the ferries currently operated by the Plaquemines Parish Government; and otherwise to provide with respect thereto”; and

There being no items for Executive Session, Commissioner Blink moved to Agenda Item 3, “Status Report by the Executive Port Director”. Without objection, so ordered. General Sanders reported he was invited to speak at the University of Houston’s Ports of the Future Conference in March. The Union Pacific Railroad was updated on the railway and the container projects and the Port rescue boat was called out to a fire. Commissioners inquired as to if the Port employees have free memberships with the YMCA, about when there would be a container project update and the possibility of a port boat being used to transport employees across the river while the Belle Chasse Ferry is out of service.

Under Item 3b, “Financial Report/Budget to Actual” Chambrel Riley had nothing to report.

There being no Bids and Advertisements nor Introductions, Commissioner Blink moved to Agenda Item 6, “Ordinances and Resolutions on Second Reading and Final passage”. Without objection, so ordered.

There was no legislation under Item 6a, “Ordinances and Public Hearings pursuant to Article 6, Section 6.01 E of the Parish Charter.

On Motion of Commissioner Rousselle, seconded by Commissioner Cognevich and on roll call all members present and voting “YES, except Commissioners Black, Arbourgh and Guey voting “NO” Ordinance No. 20-1 entitled “An Ordinance to rescind, annul and set-aside Ordinance No. 13-92 which authorized the Port Chairman to negotiate and enter into a Cooperative Endeavor Agreement between the Plaquemines Parish Government and the Plaquemines Port, Harbor & Terminal District for sharing and/or use of each other’s assets, resources and personnel to maintain the security and protection of life and property in areas within the jurisdiction of the Port and Plaquemines Parish; and otherwise to provide with respect thereto”, was adopted by a vote of 6-3.

There being no items under New Business, Commissioner Blink moved to Agenda Item 8, “Approval of the Minutes”. Without objection, so ordered.

On motion of Commissioner Barthelemy, seconded by Commissioner Cognevich, and on roll call all members present voting “YES”, Resolution No. 20-1 approving the minutes from the December 12, 2019 regular Port Meeting, as recorded by the Secretary of this Council was adopted by a vote of 9-0.

There being no further business to come before this Council, on motion Commissioner Barthelemy, seconded by Commissioner Cognevich and on roll call all members present and voting “Yes”, the meeting adjourned at 5:33 p.m.

Chairman

Secretary

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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, January 9, 2020, at 5:44 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Carlton M. LaFrance, Sr., 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 Richie Blink
Council Member Mark Cognevich

Kim M. Toups, Secretary

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine, along with the three Charter Directors, Todd Eppley, Crystal Taylor and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 9a(1), “An Ordinance requiring lot owners in Myrtle Grove Marina Estates Phase 1 and Phase 2 to maintain a berm, bulkhead or barrier to a minimum of 2.5ft. above sea level as determined by NAVD 1988 (2099.55) Geoid 12A between the water’s edge and public right of way and be contiguous with neighboring lots to prevent flooding from high tides and protect Plaquemines Parish infrastructure and provide ingress and egress for the residents”;
- 9a(5), “An Ordinance to rescind, annul and set-aside Ordinance No. 18-144 and to amend certain sections of Article IV of the Plaquemines Parish Code of Ordinances; and otherwise to provide with respect thereto”;
- 9b, “An Ordinance to amend, and as amended, readopt Plaquemines Parish Code of Ordinances, Chapter 12.5 “Grant-in-Aid programs”; to annul, rescind and set-aside Ordinance No. 448, No. 498 and No. 511; and otherwise to provide with respect thereto”;
- 9e, “An Ordinance to amend the 2020 Manpower Structure and Operating Expenditure Budget, General Fund, Flood Control Department; and otherwise to provide with respect thereto”;
- 9j, “An Ordinance to amend the Five Year Capital Improvements Plan, Jesuit Bend Water Main Crossings Project; and otherwise to provide with respect thereto”;
- 9n, “An Ordinance to amend the 2020 General Fund, Manpower Structure and Operating Expenditure Budget, Civil Service Department; and otherwise to provide with respect thereto”;
- 10d, “District 7 update”;
- 10e, “District 5 update” items 1) “Drainage projects Covert Road and Engineers Road update” and 3), “Status report on replacement of asbestos waterlines off of Barriere Road on the Greeks Streets); and

The following items were withdrawn:

- 9c, “A Resolution transferring to the Plaquemines Port, Harbor and Terminal District the operational authority and the financial responsibility of the ferries currently operated by the Plaquemines Parish Government, and provide for the grant of use and charge of all property, vessels equipment of the Plaquemines Parish Ferry Department to the Plaquemines Port, Harbor and Terminal District; and otherwise to provide with respect thereto”;
- 9g, “An Ordinance authorizing the Parish President, Kirk Lepine, to enter into an agreement with the Louisiana SPCA; and otherwise to provide with respect thereto”;
- 9k, “A Resolution of the recognizing the final form and execution of the Bond Purchase Agreement in connection with the issuance and sale of \$14,500,000 Revenue Refunding Bonds of the Parish of Plaquemines, State of Louisiana, Series 2020, of the Parish of Plaquemines, State of Louisiana and providing for other matters in connection therewith”;
- 9l, “An Ordinance to amend the 2020 General Fund, Manpower Structure and Operating Expenditure Budget, Permits, Planning and Zoning Department; and otherwise to provide with respect thereto”;

- 10a(2), “A Resolution requesting the Plaquemines Parish Development Board to conduct a Public Hearing to consider the enactment of Chapter 22, Appendix B, Section VIII, Paragraph 13; and otherwise to provide with respect thereto”; and
- 10b, “District 1 update” item 1) “Discussion regarding organizations which receive grants from the Plaquemines Parish Government”.

Council Member LaFrance moved to Agenda Item 10a, “New Business-Resolutions wherein suspension is being sought”: Council Member Rousselle offered a Motion to Suspend the Rules to add an item to the agenda for consideration entitled, “A Resolution requesting an Attorney General’s Opinion in regard to issues related to the proposed public-private-partnership for the construction and operation of a new bridge in Plaquemines Parish”. It was seconded by Council Member Cognevich, and upon roll call and all members voting “YES, the motion was adopted by a vote of 9-0.

On Motion of Council Member Rousselle, seconded by Council Member Cognevich, and upon roll call and all members present voting “YES”, Resolution No. 20-2 entitled, “A Resolution requesting an Attorney General’s Opinion in regard to issues related to the proposed public-private-partnership for the construction and operation of a new bridge in Plaquemines Parish” was adopted by a vote of 9-0.

Council Member LaFrance advanced to agenda item 10e(2), “District 5 update-Walker and Bayou Road Maintenance”. Without objection, so ordered. Numerous residents address the Council regarding the lack of grading and the problems such as pot holes deep enough to damage vehicles. They asked that a schedule for regular grading and President Lepine said that he would go out tomorrow.

Council Member LaFrance reverted back to the beginning of the agenda item 2, “Executive Session”.

On Motion of Council Member Cognevich, seconded by Council Member Arbourgh, and upon roll call and all members present voting “YES”, Resolution No. 20-3, was adopted by a vote of 9-0 wherein the Council went into Executive Session at 6:42 p.m. for the purpose of hearing a report and recommendations and strategy advice for the management of litigation from its attorney concerning: *Carroll Arceneaux and Rhonda Arceneaux vs. State of Louisiana and State of Louisiana through the Department of Transportation and Development, Case No. 56-611, 25th JDC, Division “A”*; *Danetia Flores and Merlin Flores Jr. v. Orbon Martin Tinson Jr., Plaquemines Parish Government and Cannon Cochran Management Services, Inc., Case No. 63-779, 25th JDC, Division “A,”*; *West Feliciana Parish Government, et al vs. State of Louisiana, et al, Docket No. 661532, Section 25, 19th JDC, Parish of East Baton Rouge, State of Louisiana*; and Venice Dredging Project, Bertucci Contracting Company, LLC, Crosby Dredging LLC and any other parties necessary to force project completion, seek monetary damages, and any other legal remedies permitted under law and then coming out of Executive Session at 7:18 p.m. with no final or binding action taken.

Council Member LaFrance moved to agenda item 9f: On Motion of Council Member Rousselle, seconded by Council Member LaFrance, and upon roll call and all members present voting “YES”, Ordinance No. 20-2 entitled, “An Ordinance to amend the Five Year Capital Improvements Plan, Walker Road Boat Launch Project; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.

Council Member LaFrance advanced to agenda item 9m: On Motion of Council Member Rousselle, seconded by Council Member LaFrance, and upon roll call and all members present voting “YES”, Ordinance No. 20-3 entitled, “An Ordinance to amend the 2020 Firefighting Fund, Manpower Structure and Operating Expenditure Budget, Ambulances Department; and otherwise to provide with respect thereto” was adopted by a vote of 9-0.

There being no proclamations, Council Member LaFrance moved to agenda item 4, “Status report by the Parish President. President Lepine reported that the 6th Annual Chili Cook-Off is set for January 25th at Hartt’s Exxon in Venice from 11:00 a.m. to 4:00 p.m. with free admission and the Phoenix High School Alumni Association Family Gras 2020 is set for February 23rd which includes a parade which will end in Davant Park.

Agenda item 4a(2)(a) “Update by Charter Directors-Discussion regarding ferries: Director Todd Eppley gave an update on the Belle Chasse Ferry stating there is no timeline on when it will be back in service. There was a steering problem and it is waiting to be put on dry dock hopefully sometime next week.

Agenda item 4a(2)(b) “Update by Charter Directors-Discussion regarding LiHEAP grant: Director Crystal Taylor explained this grant is received annually to provide assistance with electric bills. This year the Parish received \$117,069 and normally there are two amendments per year wherein more money is received.

Agenda item 4a(2)(c) “Update by Charter Directors-Director Crystal Taylor shared that there have been improvements made in and around the Belle Chasse Public Library. The sign was damaged and the Parish made an insurance claim so they are now ready to get quotes for replacement. The flooring was replaced in the kids’ area, painting has been done and there has been work done outside, including maintenance to the courtyard.

There being no Bids and Advertisements, Council Member LaFrance moved to agenda item 6, “Beer and Liquor Licenses”: On motion of Council Member Black, seconded by Council Member Cognevich and on roll call all members present voting “YES”, Resolution No. 20-4 adopting an application for Asahi Sushi Bar’s permit to engage in the sale of liquor/beer only in the Parish of Plaquemines for 2020 and the special event permit for the Duck’s Unlimited fundraiser was adopted by a vote of 9-0.

Council Member Barthelemy left the meeting at 8:27 p.m.

Council Member LaFrance moved to Agenda Item 7, “Building Permits”.

Agenda Items 7a(1): On motion of Council Member LaFrance, seconded by Council Member Cognevich and on roll call all members present voting “YES”, except Council Member Barthelemy who was “ABSENT”, Resolution No. 20-5, approving the application for construction permit in the Parish of Plaquemines for Woodland Borrow Pits, LLC (South), Application No. 2019-753, dated November 1, 2019, continuation of an existing borrow pit operation, 22238 Highway 23, Port Sulphur was adopted by a vote of 8-0.

Agenda Items 7a(2) through 7a(6) were taken *en globo*: On motion of Council Member Blink, seconded by Council Member Newberry and on roll call all members present voting “YES”, except Council Members Black and Cognevich who “ABSTAINED” and Council Member Barthelemy who was “ABSENT”, Resolution No. 20-6 approving the construction permits in the Parish of Plaquemines for 2020 was adopted by a vote of 6-0-2.

Agenda Items 7b through 7d were taken *en globo*:

On motion of Council Member Cognevich, seconded by Council Member Blink and on roll call all members present voting “YES”, except Council Member Barthelemy who was “ABSENT”, Resolution No. 20-7 approving the issuance the renewal of a trailer park permit to Jim Boyd for the operation of an existing trailer park (Jim’s RV Park) located in a MH (Mobile Home) Zoning District on Shadow Lane, Boothville, Louisiana, all in accordance with Application No. 2019-831, dated November 22, 2019, was adopted by a vote of 8-0.

On motion of Council Member Cognevich, seconded by Council Member Blink and on roll call all members present voting “YES”, except Council Member Barthelemy who was “ABSENT”, Resolution No. 20-8 approving the issuance the renewal of a trailer park permit to Jim and Janelle Boyd for the operation of an existing trailer park (Riverside Trailer Park) located in an A-2 (Rural or Agricultural) Zoning District on Riverside Lane, Boothville, Louisiana all in accordance with Application No. 2019-833, dated November 22, 2019, by a vote of 8-0.

On motion of Council Member Cognevich, seconded by Council Member Blink and on roll call all members present voting “YES”, except Council Member Barthelemy who was “ABSENT”, Resolution No. 20-9 approving the issuance the renewal of a trailer park permit to Anthony Randazzo for the operation of an existing trailer park (Redfish Factory, LLC) located in a MH (Mobile Home) Zoning District on 37813 (A-D) Highway 23, Triumph, Louisiana all in accordance with Application No. 2019-838, dated December 04, 2019, by a vote of 8-0.

Council Member LaFrance moved to Agenda Item 8, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following items were introduced:

1. A Resolution approving/denying Industrial Tax Exemption application # 20161895-ITE for applicant Stolthaven New Orleans for participation in the Industrial Tax Exemption Program relative to their project expansion project in Plaquemines Parish. COUNCIL MEMBER ROUSSELLE
2. An Ordinance to amend the Five Year Capital Improvements Plan, Waterline Replacement-Highway 39 Project and otherwise to provide with respect thereto. COUNCIL MEMBER ROUSSELLE
3. An Ordinance to amend the Five Year Capital Improvements Plan, Dredging-Venice Boat Harbor Project and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
4. A Resolution assigning office space located at Room No(s). _____, Building 600, Parish Government Complex in Belle Chasse to the First Planning District Workforce Development Board (First Planning District), a grant recipient of the Louisiana Workforce Commission Office of Workforce Development; and authorizing the Parish President to enter into a Cooperative Endeavor Agreement (CEA) with the First Planning District; and otherwise to provide with respect thereto. COUNCIL MEMBER ARBOURGH
5. An Ordinance to amend the Five Year Capital Improvements Plan, Rehab-Belle Chasse Waste Water Treatment Plant Project and otherwise to provide with respect thereto. COUNCIL MEMBER NEWBERRY
6. A Resolution approving/denying Industrial Tax Exemption application # 2018001-ITE for applicant C & C Marine and Repair, LLC for participation in the Industrial Tax Exemption Program relative to their expansion project in Plaquemines Parish. COUNCIL MEMBER ROUSSELLE
7. An Ordinance to amend the 2020 General Fund, Manpower Structure, Flood Control Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
8. An Ordinance authorizing the acceptance of a donation for the Libraries Department and to amend the Library Services Fund, 2020 Operating Revenue and Expenditure Budgets, Libraries Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
9. A Resolution to annul, rescind, and set aside Resolution No. 19-155. COUNCIL MEMBER LAFRANCE
10. An Ordinance to amend the 2020 Manpower Structure and Operating Expenditure Budget, General Fund, Coastal Zone-Land Department, and the Director of Operations Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE

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

On motion of Council Member Rousselle, seconded by Council Member Black and on roll call all members present voting "YES", except Council Member Barthelemy who was "ABSENT", Ordinance No. 20-4 , entitled "An Ordinance approving a plan of resubdivision of Lot 56A, Intercoastal Canal Subdivision, Belle Chasse, Plaquemines Parish, Louisiana, into Lots 55A and 55B, Intercoastal Canal Subdivision, Belle Chasse, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated September 24, 2019, 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” was adopted by a vote of 8-0.

On motion of Council Member Black, seconded by Council Member Rousselle and on roll call all members present voting “YES”, except Council Member Barthelemy who was “ABSENT”, Ordinance No. 20-5 , entitled “An Ordinance approving a plan of resubdivision of property of Lots C-3, D-1, and E, Hero Lands Division, Belle Chasse, Parish of Plaquemines into Lots 1 through 20, Planters Estates and the dedication of Danella Drive, Belle Chasse, Plaquemines Parish, Louisiana, as shown on the plans and plat of survey by Dufrene Surveying & Engineering, Inc., dated August 12, 2016, revised Nov 11, 2019, the owner having fulfilled all of the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines, without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto” was adopted by a vote of 8-0.

On motion of Council Member Black, seconded by Council Member Arbourgh and on roll call all members present voting “YES”, except Council Member Barthelemy who was “ABSENT”, Ordinance No. 20-6 , entitled “An Ordinance approving a plan of resubdivision of the property of The Parks of Plaquemines, LLC, Plaquemines Parish, Louisiana, as shown on the map of the Parks of Plaquemines Subdivision, Phase 2C, being a resubdivision of a portion of Tract 3D1C, Section B of Belle Chasse Plantation into Lots 110 through 118, 129 through 134, Lots 170, 171, Home Owners Lot 7H and streets by Bryant Hammett and Associates, certified by Hugh McCurdy, III, PLS, dated November 25, 2019, 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” was adopted by a vote of 8-0.

On motion of Council Member Rousselle, seconded by Council Member Cognevich and on roll call all members present voting “YES”, except Council Members Arbourgh and Guey voting “NO’ and Council Members Barthelemy and Black who were “ABSENT”, Ordinance No. 20-7 , entitled “An Ordinance to rescind, annul and set-aside Ordinance No. 13-86 which authorized the Parish President to negotiate and enter into a Cooperative Endeavor Agreement between the Plaquemines Parish Government and the Plaquemines Port, Harbor & Terminal District for sharing and/or use of each other’s assets, resources and personnel to maintain the security and protection of life and property in areas within the jurisdiction of the Port and Plaquemines Parish; and otherwise to provide with respect thereto” was adopted by a vote of 5-2.

Council Member Black left the meeting at 8:48 p.m.

On motion of Council Member Cognevich, seconded by Council Member Blink and on roll call all members present voting “YES”, except Council Members Barthelemy and Black who were “ABSENT”, Resolution No. 20-10 , entitled “A Resolution to name Mr. Rod Lincoln as the official Parish Historian; and otherwise to provide with respect thereto” was adopted by a vote of 7-0.

On motion of Council Member Cognevich, seconded by Council Member Blink and on roll call all members present voting “YES”, except Council Members Barthelemy and Black who were “ABSENT”, Resolution No. 20-11 , entitled “A Resolution authorizing and directing the Parish President, or his designee, to seek RFPs for lease of Dymond Island; and otherwise to provide with respect thereto” was adopted by a vote of 7-0.

Council Member LaFrance moved to Agenda Item 10, “New Business”. Without objection, so ordered.

10c “District 9 update”:

- Item 1 Fort Jackson-Council Member Cognevich turned on the pumps and the area drained but now the area is flooded again. He asked the Administration to get a price on automatic pumps.
- Item 2 Culverts-Council Member Cognevich provided pictures on the state of the culverts in Belle Chasse versus in District 9.
- Item 3 Ditches-Council Member Cognevich stated he already spoke to Scott Rousselle about an excavator which was broken but it is getting fixed in order for the ditches to be done.
- Item 4 Boat Harbors-Council Member Cognevich said that \$700K is still owed to us and leaks in waterlines are being fixed with electric tape and we going after others for money but we can’t fix our own things. He went on to ask John Helmers if he went out to the shrimp docks

with all the boats at them that are not supposed to be there and Mr. Helmers said not as of yet but, it is on his list. He then went on to explain his plan for getting the harbors in working order.

10e “District 8 update”:

- Item 2 Paperless Payroll-Council Member Blink asked if the employee check stubs must be printed and mailed to the employees and if there was a legal reason for doing so. Director Crystal Taylor said she would ask Finance and went on to explain that a lot of employees like their check stubs. Mrs. Taylor will talk to Tommy Serpas and get back to Council Member Blink on that issue.
- Item 1 Estimated Water Bills-Council Member Blink asked Director Todd Eppley what the equation was to estimate water bills and Mr. Eppley told him he did not know. Council Member Newberry stated a new meter was installed at her home three months ago and she has received an estimated bill. She asked why she was receiving it and was told by Mr. Eppley that there must be an error.

10g “Discussion regarding the Tax Exemption Applications for C&C Marine and Repair, LLC and Stolthaven New Orleans”: Council Member LaFrance gave the floor to Council Member Blink who made a Power Point presentation regarding the companies’ total property values, the tax exempt value of property, and the 10-year costs of current exempts number of jobs created within a 10-18 year period. He ended the presentation with a comparison of what one year of exemptions would be equivalent to such as, the Parish employing 51 pump station operators or 61 mosquito truck drivers.

Council Member LaFrance moved to Agenda Item 11, “Approval of minutes”. Without objection, so ordered.

On motion of Council Member Rousselle, seconded by Council Member Cognevich, and on roll call all members present and voting “YES”, except Council Members Barthelemy and Black who were “ABSENT”, Resolution No. 20-12 adopting the minutes of the December 12, 2019, Council meeting, as recorded by the Secretary of this Council was adopted by a vote of 7-0.

There being no further business to come before this Council, on motion Council Member Cognevich, seconded by Council Member Rousselle, and on roll call all members present and voting “Yes”, except Council Members Barthelemy and Black who were “ABSENT”, the meeting adjourned at 9:20 p.m.

Chairman

Secretary

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