

Minutes of a meeting of the Plaquemines Parish Council, held in the Belle Chasse Council Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, January 26, 2023, at 3:38 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Carlton M. LaFrance, Sr., Chairman  
Council Member Tyronne Edwards  
Council Member Brian Champagne  
Council Member Chris Schulz  
Council Member Stuart J. Guey  
Council Member Patricia McCarty  
Council Member Ronnie Newsom  
Council Member Mitch Jurisich  
Council Member Mark Cognevich,

Kim M. Toups, Secretary

The Prayer and Pledge of Allegiance were dispensed with.

President Keith Hinkley and Charter Directors Crystal Taylor, Billy Wichers and Jeff DiMarco were present representing the Administration.

The following items were deferred:

- Agenda Item 7c, “River Oaks West, LLC, Conditional Approval for Permanent RV Park, 26296 Highway 23, Port Sulphur, Louisiana”;
- Agenda Item 7d, “Kirk Prest, Trailer Park Renewal, 38920 Highway 23, Boothville, Louisiana”;
- 9b, “An Ordinance to amend the Five-Year Capital Improvements Plan, New Construction- Woodlawn Fire Station Project; and otherwise to provide with respect thereto”;
- 9c, “An Ordinance prohibiting the sale of imported shrimp in the Parish of Plaquemines”;
- 11b, “District 9 update”; and
- 11c, “District 7 update”.

The following items were withdrawn.

- Agenda Item 7b, “Sok Tasty Crème Donuts, New Commercial Business in a School Zone, 8921 Highway 23, Belle Chasse, Louisiana”;
- Agenda Item 11a(1), “A Resolution appointing the members of the Board of Commissioners, Hospital Service District No. 1; and otherwise to provide with respect thereto”; and
- Agenda Item 11a(2), “A Resolution to appoint the members of the Plaquemines Parish Zoning & Planning-Development Board; and otherwise to provide with respect thereto.”

There being no matters under “Executive Session” and “Proclamations”, Council Member LaFrance moved to Agenda Item 4, “Status Report by the Parish President”. Without objection, so ordered. President Hinkley stated the following:

- A meeting is set for January 31<sup>st</sup> with Patrick Harvey, EOC Manager wherein the Administration will run a mock Hurricane scenario during an Emergency-Prep meeting;
- Members of the Administration met with Stephanie Bopp from Senator Cassidy’s office in regard to the Lake Pontchartrain Basin organization. He found out that Plaquemines Parish had zero projects come through this organization. Also, he stated that the only area of Plaquemines Parish that falls under the Lake Pontchartrain Basin would be the Eastbank and only that area could receive funding for project. There is funding available from a Clean Drinking Water grant and it may involve a new Water Tower for the Eastbank; and
- There was a meeting held with Trigon in regard to the West Pointe-a-la-Hache Water Plant wherein the Administration was told that the plans should be finalized at the end of February/beginning of March when the bid should be sent out.

Council Member Cognevich moved to Agenda Item 4a, "Update by Charter Directors". Without objection, so ordered.

- Several Council Members thanked the President and his Administration for handling issues quickly;
- Council Member McCarty asked if there could be some communication between the Administration and the residents to let them know when they will be out working on work requests;
- Council Member Cognevich said that he was glad to receive the call during the bad weather event from the President saying he would open up a shelter if need be because the past Administration called the Fire Marshall who almost shut the shelter down; and
- President Hinkley stated that he is trying to schedule district visits.

Council Member LaFrance moved to Agenda Item 5, "Bids and Advertisements". Without objection, so ordered.

#### RESOLUTION NO. 23- 29

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

A Resolution authorizing the Purchasing Agent to advertise for and dispose of surplus vehicles and equipment on an as is basis through public auction conducted by Henderson Auctions; and otherwise to provide with respect thereto.

WHEREAS, Periodically the Plaquemines Parish Government has numerous pieces and types of equipment and vehicles which are surplus or are no longer in working condition and need to be disposed of; and

WHEREAS, it is the recommendation of the Purchasing Agent that the Parish Government dispose of the surplus equipment and vehicles through public auction; and

WHEREAS, Henderson Auctions will pick up and dispose of surplus and junked equipment, as directed by the Purchasing Department; and

WHEREAS, Auction will be advertised in the Plaquemines Parish Gazette as per Louisiana state law requirements and the list of equipment will be on file in the Council Secretary's office;

NOW, THEREFORE:

BE IT RESOLVED BY THE PALQUEMINES PARISH COUNCIL THAT it authorizes its Purchasing Agent to dispose of surplus equipment and vehicles, through public auction, on an as is basis and further authorizes Henderson Auctions, to pick up and sell this equipment at public auction for a period beginning with the adoption of this resolution and ending March 31, 2023.

BE IT FURTHER RESOLVED BY THE PALQUEMINES 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. 23-30

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

A Resolution authorizing the acceptance of bids for furnishing River Pumped Sand for Parish Wide use; and otherwise to provide with respect thereto.

WHEREAS, after due advertisement bids were received on January 18, 2023, for furnishing River Pumped Sand for Parish Wide use as follows: Leon Duplessis & Sons, P.O. Box 184, Belle Chasse, LA 70037; all bids on file in the Parish Purchasing Agent's Office and made a part hereof by reference to; and

WHEREAS, Brenda Stanifer, Parish Purchasing Agent, recommends the acceptance of the bid of Leon Duplessis & Sons for furnishing River Pumped Sand, 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 to Leon Duplessis & Sons, P.O. Box 184, Belle Chasse, LA 70037, for furnishing River Pumped Sand, all in accordance with bids submitted by said vendors on January 18, 2023, on file in the Parish Purchasing Agent's Office.

BE IT FUTHER RESOLVED by the Plaquemines Parish Council that Keith Hinkley, Parish President, be and hereby authorized for and on behalf of the Plaquemines Parish Government to enter into a contractual agreement with Leon Duplessis & Sons, for furnishing River Pumped Sand for Parish Wide use, beginning with the adoption of this Resolution and ending January 25, 2024.

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

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

Council Member LaFrance moved to Agenda Item 6, "Beer and Liquor Licenses". Without objection, so ordered.

#### RESOLUTION NO. 23-31

On motion of Council Member Cognevich, seconded by Council Member Jurisich, 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 permit to engage in the sale of liquor and/or beer only in the Parish of Plaquemines for the year 2023 are hereby approved: Adams Grocery of Boothville d/b/a Adams Grocery of Boothville, 41245 Highway 23 Venice, LA 70091, Table 2, Class B-Package Liquor; Grizzly Group d/b/a Pour Over Café, 8613 Highway 23 Belle Chasse, LA 70037, Table 1, Class A Retail Liquor; Hall Real Estate Management Company LLC d/b/a Old Cellar Bar, 8480 Highway 23 Belle Chasse, LA 70037, Table 2, Class A-Retail Liquor.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following special events/temporary beer & alcohol permits are hereby approved: Croatian American Society for the Food & Culture Festival to be held on March 18, 2023 from 9:00 a.m. to 9:00 p.m. at 14044 Highway 23, Belle Chasse, LA 70037; Knights of Columbus for the Chili Cookoff to be held on March 19, 2023 at 11:00 a.m. to 6:00 p.m. at 28698 Highway 23, Port Sulphur, LA 70083; and Diamond Mardi Gras Parade to be held on February 21, 2023, from 10:00 a.m. to 12:30 p.m. at 24982 Diamond Road, Port Sulphur, LA 70083.

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 LaFrance moved to Agenda Item 7a, "Construction Permits". Without objection, so ordered.

#### RESOLUTION NO. 23-32

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

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following application for construction permits in the Parish of Plaquemines is hereby approved: Gulf South Pipeline Company LLC, Application No. 2023-4 Perform maintenance on four existing “Do Not Dredge” signs, West & East Pointe a la Hache Area & Venice Area.

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. 23-33

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

A Resolution approving the issuance of a conditional approval for 6 additional trailer park spaces to Frank Daigle for an existing trailer park (Shady Oaks RV Park) located in a MH (Mobile Home) Zoning District on Shady Oaks Lane, Belle Chasse, Louisiana, all in accordance with Application No. 2022-904, dated September 13, 2022.

WHEREAS, Frank Daigle applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2022-904, dated September 13, 2022) for approving a conditional approval for 6 additional trailer park spaces for an existing trailer park, (Shady Oaks RV Park) located on Shady Oaks Lane, Belle Chasse, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED by the Plaquemines Parish Council that it hereby approving a conditional approval for 6 additional trailer park spaces for an existing trailer park (Shady Oaks RV Park) located in MH (Mobile Home) Zoning District on Shady Oaks Lane, Belle Chasse, Louisiana, all in accordance with Application No. 2022-904, dated September 13, 2022.

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

1. A resolution approving the holding of an election in Plaquemines Parish Hospital Service District Number One, State of Louisiana, on Saturday, April 29, 2023, to authorize the levy of a special tax therein; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
2. An Ordinance to amend the 2023 Waterworks & Sewerage Fund, Operating Expenditure Budget, Waterworks & Sewerage Operations Department; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
3. An Ordinance to amend the 2023 General Fund, Operating Expenditure Budget, Legal Judgments Department, for final judgment settlements of outstanding legal settlement cases; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
4. An Ordinance to rename the Parish Wide Sewer Projects Fund to the Parish Surplus Fund; and otherwise to provide with respect thereto. COUNCIL MEMBER SCHULZ

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

- a. Ordinances and Public Hearings pursuant to Article 6, Section 6.01 E of the Plaquemines Parish Charter:

Council Member Newsom offered 9a(1) with changes.

ORDINANCE NO. 23-12

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

An Ordinance approving a plan of resubdivision Lot 10-C, Jesuit Bend, Plaquemines Parish, Louisiana, into Lots 10-C1 and 10-C2 Jesuit Bend, Plaquemines Parish, Louisiana, as shown on the plan and plat of survey by Dufrene Surveying & Engineering, Inc., dated September 19, 2022 and November 11, 2022, 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.

WHEREAS, Judy Daigle is the owner of Lot 10-C, Jesuit Bend, Plaquemines Parish, Louisiana, as more fully shown on the plan and plat of resubdivision by Dufrene Surveying & Engineering, Inc., dated April 6, 2022, revised September 19, 2022 and November 11, 2022 a print whereof is annexed hereto and made part hereof; and

WHEREAS, Judy Daigle as the owner of said property, has proposed the resubdivision of Lot 10-C, Jesuit Bend, Plaquemines Parish, Louisiana, into Lots 10-C1 and 10-C2 Jesuit Bend, Plaquemines Parish, Louisiana, as more fully shown on said plan; and

WHEREAS, the owner has installed a servitude over a pond on Lot 10-C1 for a dry hydrant for fire protection in favor of Plaquemines Parish Government and Lots 10-C1 and 10-C2; and

WHEREAS, prior issuance of any building permits or future development on Lot 10-C2, the current or future proper shall install adequate fire protection in a servitude for the benefit of Lot C-2 to accommodate any future development; and

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

WHERE AS, 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

WHERE AS, 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 plant and plat of survey; and

WHERE AS, 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

WHERE AS, 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 Lot 10-C, Jesuit Bend, Plaquemines Parish, Louisiana, into Lots 10-C1 and 10-C2 Jesuit Bend, Plaquemines Parish, Louisiana, as shown on the plan and plat of survey by Dufrene Surveying & Engineering, Inc., dated April 6, 2022 and revised September 19, 2022 and November 11, 2022, a print whereof is annexed hereto and made a part hereof, is hereby approved, and that the approval of the Parish President, 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 Surveying & Engineering, Inc., dated April 6, 2022 and revised September 19,2022 and November 11, 2022, for the Parish of Plaquemines and the Plaquemines Parish Government, and to execute any and all acts and 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 the 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 be shown on the aforementioned plan and plat of survey. Prior issuance of any building permits or future development on Lot 10-C2, the current or future proper shall install adequate fire protection in a servitude for the benefit of Lot C-2 to accommodate any future development.

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 Jurisich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26<sup>th</sup> day of January, 2023.

Council Member Cognevich offered Item 9d with changes.

ORDINANCE NO. 23-13

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

An Ordinance to amend the Five Year Capital Improvements Plan, Resurface Hwy 11 Empire to Triumph; and otherwise to provide with respect thereto.

WHEREAS, a review of the Five Year Capital Improvements Plan was performed and an amendment is necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$1,500,000 to the Resurface Hwy 11 Empire to Triumph project, \$1,094,241 from the Fund Balance Designated

for the American Rescue Plan; and \$405,759 from the Fund Balance Designated for Infrastructure; funding year 2023.

## 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 Jurisich seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26<sup>th</sup> day of January, 2023.

## RESOLUTION NO. 23-34

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

A Resolution to rename the Coastal Zone Management Department to the Coastal Resource and Protection Department; and otherwise to provide with respect thereto.

WHEREAS, it has been recommended by the Parish Administration to rename the Coastal Zone Management Department to the Coastal Resource and Protection Department;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the name change of the Coastal Zone Management Department to the Coastal Resource and Protection Department.

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.

## ORDINANCE NO. 23-14

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

An Ordinance to amend the 2023 General Fund, Operating Expenditure Budget, Parish Council District 3 Department; and otherwise to provide with respect thereto.

WHEREAS, after a review of the Parish Council District 3 Department's operating expenditure budget, an amendment is required;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2023 General Fund, Operating Expenditure Budget, Parish Council District 3 Department, is amended as follows:

<b>Fund:</b> 001 General Fund			
<b>Dept/Div:</b> 210-2003 Parish Council District 3 Dept.			
<b>Object</b>	<b>Description</b>	<b>Inc/ Dec</b>	<b>Amendment</b>
532.001	Professional Services - General	Inc	34,157

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 Champagne seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26<sup>th</sup> day of January, 2023.

Council Member Schulz filled in the blanks for Item 9g.

RESOLUTION NO. 23-35

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

A Resolution appointing the members of the Audit Committee of the Plaquemines Parish Council for 2023 pursuant to Section 7.08 of Article 7 of the Charter for Local Self-Government, Plaquemines Parish Louisiana; and otherwise to provide with respect thereto.

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT Council Members Chris Schulz, Mark Cognevich and Ronnie Newsom be appointed to the Audit Committee of the Plaquemines Parish Council for 2023 effective immediately for a term to expire at midnight, December 31, 2023.



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. 23-15

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

An Ordinance to establish the distribution of Departments, Offices, and Agencies of Plaquemines Parish Government; and otherwise to provide with respect thereto.

WHEREAS, Section 5.01 (F.) of the Charter for Local Self-Government for Plaquemines Parish, Louisiana states: Upon recommendation of the parish president, or upon its own motion, the parish council may provide by ordinance for distribution among the departments of any duties and functions not provided for above and may transfer duties and functions herein assigned from one department to another or may consolidate such departments, all as in the judgment of the parish president and the parish council will make for a more orderly and successful operation of parish government; and

WHEREAS, the Parish President of Plaquemines Parish Government recommends the following distribution among the Departments, Offices, and Agencies of Plaquemines Parish Government; and

WHEREAS, the Plaquemines Parish Council accepts the recommendation of the Parish President and desires to provide by Ordinance said distribution among the Departments, Offices, and Agencies of Plaquemines Parish Government;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Parish President shall exercise direct management and control over the following Departments, Offices, and Agencies of Plaquemines Parish Government: Director of Administration, Director of Public Service, Director of Operations, Director of the Coastal Resource and Protection Department, Economic Development/Tourism, Public Awareness, Legal Services, Homeland Security and Emergency Preparedness, and Grants.

The Director of Administration shall have general management and control over the following Departments, Offices, and Agencies of Plaquemines Parish Government: Administration, Finance and Accounting, Sales Tax, Purchasing, Human Resources, Parish Courier, Community Action Agency, Libraries, and Courthouse Security.

The Director of Public Service shall have general management and control over the following Departments, Offices, and Agencies of Plaquemines Parish Government: Public Service, Buildings, Shipyards and Boat Harbors, Permits, Planning and Zoning, Engineering and Public Works, Health, Animal Control, Fire Fighting and Ambulances, Waterworks & Sewerage, and Maintenance.

The Director of Operations shall have general management and control over the following Departments, Offices, and Agencies of Plaquemines Parish Government: Operations, Flood Control, Road Maintenance-Bridges, Public Right of Way and Maintenance, Solid Waste District 1, Solid Waste District 2, Mosquito Control, Recreation, Swimming Pools, Athletic Fields Tennis Courts, and Safety.

The Director of Coastal Resource and Protection Department shall have general management and control over the following Departments, Offices, and Agencies of Plaquemines Parish Government: the Coastal Resource and Protection Department, Telecommunications,

Information Technology, and GIS Management.

The Director of Homeland Security shall have general management and control over the following Departments, Offices and Agencies of Plaquemines Parish Government: Homeland Security and 911 Services.

#### SECTION 2

Nothing herein shall in any way deprive, limit, or waive the rights, powers, and authority of the Parish President of Plaquemines Parish Government, established by the Charter for Local Self-Government, Plaquemines Parish, Louisiana, prior Ordinances duly adopted by the Plaquemines Parish Government, or authorized by the Constitution and laws of the State of Louisiana and the United States of America.

#### SECTION 3

Ordinance No. 19-128 is hereby repealed, except that Flood Control and Drainage remain consolidated.

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

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

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26<sup>th</sup> day of January, 2023.

#### RESOLUTION NO. 23-36

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

A Resolution authorizing the Council Secretary to advertise for a Special Counsel for the Parish Council; and otherwise to provide with respect thereto.

WHEREAS, the Council is seeking a new Council Attorney and it is necessary to advertise the open position;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes the Council Secretary to advertise for a Special Counsel for the Parish Council in the Plaquemines Gazette and on the Plaquemines Parish Government Website.

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.

ORDINANCE NO. 23-16

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

An Ordinance to amend and as amended to readopt the Plaquemines Parish Code of Ordinances, Chapter 2, Section 2-17, *Rules for Transaction of Business Before the Council*, Rule 17; and otherwise to provide with respect thereto.

WHEREAS, there is an item which needs to be added to the items of business which the Council conducts at its meetings;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Chapter , Section 2-17, Rule 17 (d) shall now read as follows:

(d) Included in any proposed ordinance or resolution, following the preamble and before the body of the proposed ordinance or resolution will be a digest of the purpose of said legislation. The digest will also be placed on the meeting agenda directly following the preamble. The digest is a synopsis of the intent of the proposed ordinance or resolution.

SECTION 2

The remainder of Rule 17 shall remain in full force and effect.

SECTION 3

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

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

Council Member Edwards seconded the motion to adopt the Ordinance.

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

YEAS: Council Members Tyrone Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26<sup>th</sup> day of January, 2023.

RESOLUTION NO. 23-37

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

A Resolution granting conditional approval for a plan of subdivision of J Sercovich, LLC, Lot 8A, Section B, Belle Chasse Plantation, Section 9, Township 14 South, Range 25 East, Southeastern Land District of Louisiana, West of the Mississippi River, Belle Chasse, Plaquemines Parish, Louisiana into Lots 8D, 8B, 8E, 8F & 9E, Section B, Belle Chasse Plantation, Belle Chasse, Plaquemines Parish Louisiana, as shown on map of subdivision by Dufrene Surveying and Engineering, Inc., Registered Land Surveyor, dated February 11, 2021 revised October 20, 2022, without cost to Plaquemines Parish Government or the Parish of Plaquemines.

WHEREAS, J Sercovich, LLC, is the owner of the property as shown on map of subdivision, by Dufrene Surveying and Engineering, Inc., Registered Land Surveyor, dated February 11, 2021 revised October 20, 2022, herein attached; and

WHEREAS, J Sercovich, LLC, as owner of the property, plans to subdivide said property into 5 lots shown as Lots 8D, 8B, 8E, 8F & 9E as shown on map of subdivision by Dufrene Surveying and Engineering, Inc., Registered Land Surveyor, dated February 11, 2021 revised October 20, 2022, a copy of which is on file in the Permits, Planning & Zoning Department of Parish of Plaquemines; and

WHEREAS, the design of all public utilities, services and facilities to be provided in the subdivision according to said plan have been approved by all Department Superintendents or Boards charged with the responsibility of maintaining and inspecting said public utilities, services and facilities;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the above described plan of subdivision of the property of J Sercovich, LLC, Lot 8A, Section B, Belle Chasse Plantation, Section 9, Township 14 South, Range 25 East, Southeastern Land District of Louisiana, West of the Mississippi River, Belle Chasse, Plaquemines Parish, Louisiana into Lots 8D, 8B, 8E, 8F & 9E, Section B, Belle Chasse Plantation, Belle Chasse, Plaquemines Parish Louisiana, as shown on map of subdivision by Dufrene Surveying and Engineering, Inc., Registered Land Surveyor, dated February 11, 2021 revised October 20, 2022, a copy of which is annexed hereto and made a part hereof, be conditionally approved, and the approval of all appropriate Parish Department Heads of the above described plan of subdivision be ratified.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the President of Plaquemines Parish Government be and is hereby authorized to execute any and all acts and all acts and documents necessary and property in the premises to give full force and effect to the Resolution.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT conditional approval of the plan shall be authority for the owners of the subdivision only to proceed with construction and installation of the improvements and work in order to comply with the requirements of the Ordinance No. 96-41, as amended, Plaquemines Parish Subdivision Ordinance, and shall not authorized said owners to sell any lots in the proposed subdivision.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT 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. 23-17

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

An Ordinance reaffirming prohibition of any Plaquemines Parish-issued permit for authorization, construction and/or operation of any Mississippi River

Sediment Diversion project, and directing and authorizing any and all legal steps necessary to prevent harm to Plaquemines Parish, its citizens, its industries, its natural resources, its economy and its environment from aforementioned Mississippi River Sediment Diversion projects; and otherwise to provide with respect thereto.

WHEREAS, the US Corps of Engineers (USACE) has recently issued necessary permit approvals to the Louisiana Coastal Protection and Restoration Authority (CPRA) for construction and operation of the Mid-Barataria Sediment Diversion (MBSD); and

WHEREAS, the aforementioned permit approvals by USACE contain a list of permitting conditions; and

WHEREAS, this list of conditions contains requirement #20 which states:

*Many local governing bodies have instituted laws and/or ordinances in order to regulate dredge and/or fill activities in floodplains to assure maintenance of floodwater storage capacity and avoid disruption of drainage patterns that may affect surrounding properties. The authorized project involves dredging and/or placement of fill, therefore, the permittee must contact the local municipal and/or parish governing body regarding potential impacts on floodplains and compliance of your proposed activities with local floodplain ordinances, regulations, or permits.*

WHEREAS, Plaquemines Parish Government has consistently opposed large-scale Mississippi River Sediment Diversion projects, including in its official Coastal Zone Management Plan and affirmed by its passage of Ordinance No. 14-52; and

WHEREAS, the Final Environmental Impact Statement (FEIS) released by USACE for the MBSD clearly delineates that operation of the MBSD will irreparably harm the natural resources of Plaquemines Parish, including, but not limited to, its commercial fishing industries, saltwater recreational fishing, and dolphins of the Barataria Basin; and

WHEREAS, the destruction of Plaquemines Parish natural resources in the aforementioned FEIS has been confirmed by numerous scientific studies as well as official resolutions and statements from Louisiana Government's Oyster and Shrimp Task Forces; and

WHEREAS, the aforementioned FEIS also clearly delineates that operation of the MBSD will cause massive land loss in the Birdfoot Delta; and

WHEREAS, the aforementioned FEIS also clearly delineates that operation of the MBSD will cause overtopping of levees in communities south of the diversion structure which wouldn't otherwise be overtopped due to bathymetry changes from the release of massive amounts of Mississippi River water into the Barataria Basin; and

WHEREAS, the aforementioned FEIS also clearly delineates that operation of the MBSD will produce a minimal amount of land over a 50 year period that will not reduce storm surge events or provide any additional protection to coastal Louisiana; and

WHEREAS, dredging, including long-distance piping of dredged material, and beneficial use of dredged material are methods proven to produce more land in a much quicker time period and

are more cost effective than the MBSD (which is only anticipated to produce a dismal 21 square miles of land in 50 years);

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Governing Authority of Plaquemines Parish reaffirms its opposition to large-scale Mississippi River Sediment Diversion projects, including the MBSD, and any further proposed diversion projects and hereby affirms that Mississippi River Sediment Diversion projects, including the MBSD, are not compatible with the best interests of Plaquemines Parish, its citizens, its economy, and/or its natural resources, and shall not be considered to meet any requirements for its official policies and ordinances, including its official Coastal Zone Management Plan and its Floodplain Management policies. No required permits for planning, research, construction or operation of any Mississippi River Sediment diversion project shall be issued by Plaquemines Parish Government.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Plaquemines Parish President is hereby authorized, directed to and shall immediately notify, in writing, all federal agencies involved in the permitting and environmental evaluation of the MBSD, the Louisiana Coastal Protection and Restoration Authority, and all agencies, including the LA TIG, involved in funding mechanisms for MBSD and the proposed river diversion for Mid-Breton, that Plaquemines Parish, in accordance with its policies and ordinances, will not issue any required permit for planning, construction or operation of any Mississippi River Sediment diversion project.

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Plaquemines Parish President is hereby authorized, directed to and shall immediately request, in writing, that the Administrator of the US Environmental Protection Agency reevaluate the MBSD permit approval and consider withdrawal based on an elevated status, pursuant to Title 33, Chapter 26, Subchapter IV, §1344(c) of the Clean Water Act, and in light of a newly finalized rule for Waters of the United States (WOTUS) announced December 30, 2022, and designed to restore fundamental water protections. §1344(c) specifically states:

*The Administrator is authorized...to deny or restrict the use of any defined area for specification (including the withdrawal of specification)...whenever he determines...that the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies, shellfish beds, and fishery areas...*

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT to protect the citizens, natural resources and economy of Plaquemines Parish, the Plaquemines Parish President is hereby authorized, directed to and shall immediately institute any and all legal measures available, including preparation for and filing of litigation, which may be available to prevent the construction and operation of MBSD.

- a) Upon the passage of this Ordinance, the Parish President shall prepare a proposed budget for initial legal remedies and/or litigation and present it to the Parish Council for approval at the next regularly-scheduled Council meeting.
- b) The Parish President shall provide the Council and the public a regular update on legal measure progress at all following Council meetings, except information properly held in Executive Session.

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

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

With a unanimous second by all council members the motion to adopt the Ordinance.

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

YEAS: Council Members Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26<sup>th</sup> day of January, 2023.

RESOLUTION NO. 23-38

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

A Resolution to appoint the members whose term has expired on the Coastal Zone Advisory Committee; and otherwise to provide with respect thereto.

WHEREAS, it is necessary to appoint members to the Coastal Zone Management Advisory Committee due to all terms expired on December 31, 2022;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby appoints the following individuals to fill expired terms of members said Committee:

Kindra Arnesen, representing the commercial fishermen	January 1, 2023
Gerald Cormier, representing waterway enforcement	January 1, 2023
Kent Frelich, representing the oil industry	January 1, 2023
Brian Champagne, representing the Plaquemines Parish Council	January 1, 2023
Earl Armstrong, representing the Plaquemines Parish President’s Office	January 1, 2023
Rob Buck, representing the Parish Administration	January 1, 2023
Pete Vujnovich, Jr., representing the oyster fishermen	January 1, 2023
Chad Horton, representing recreational fishermen	January 1, 2023
Albertine Kimble, representing private land owners	January 1, 2023
Jacque Touzet, representing the Legal Department	January 1, 2023
Rocky Ditcharo, representing the shrimp fishermen	January 1, 2023

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. 23-39

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

A Resolution appointing Plaquemines Parish’s members of the Regional Planning Commission; and otherwise to provide with respect thereto.

WHEREAS, on July 11, 1996, the Plaquemines Parish Council adopted Ordinance No. 96-115 establishing the amendment, supplementation and re-establishment of a Regional Planning Commission jointly and between the Parishes of Jefferson, Orleans, St. Bernard, St. Tammany and Plaquemines; and

WHEREAS, said Ordinance defined the membership of such commission as being composed of a simple majority of appointed or elected public officials holding office in the following municipalities and/or Parishes, namely the Parishes of Jefferson, Orleans, St. Bernard, St. Tammany and Plaquemines and set the terms for said members; and

WHEREAS, appointment of the Plaquemines Parish representatives was made via Resolution No. 22-18 which was adopted on January 21, 2022, and all of the appointees. terms have expired;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby appoints the following individuals to serve as members of the Regional Planning Commission to represent Plaquemines Parish:

1. Parish Present Keith Hinkley, whose term shall be January 1, 2023 to December 31, 2023.
2. Council Chairman Carlton M. LaFrance, Sr., whose term shall be January 1, 2023 to December 31, 2023.
3. Council Member Mark Cognevich whose term shall be January 1, 2023 to December 31, 2023.
4. Allen Hero as Plaquemines Parish Civic Member, whose term shall be January 1, 2023 to December 31, 2023 or until a replacement has been nominated.
5. Rob Hopkins as Plaquemines Parish Civic Member, whose term shall be January 1, 2023 to December 31, 2023 or until a replacement has been nominated.

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

RESOLUTION NO. 23-40

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



BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the November 15, 2022, January 3, 2023, and January 12, 2023, special meetings minutes and the January 12, 2023, regular Council Meeting minutes 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.

Council Member LaFrance reverted back to Agenda Item 8, "Introduction of Ordinances and Resolutions". Without objection, so ordered.

5. A Resolution appointing the members of the Board of Commissioners, Hospital Service District No. 1; and otherwise to provide with respect thereto. COUNCIL MEMBER SCHULZ
  
6. A Resolution to appoint the members of the Plaquemines Parish Zoning & Planning-Development Board; and otherwise to provide with respect thereto. COUNCIL MEMBER SCHULZ

Council Member LaFrance moved to Agenda Item 11d, "Discussion about storm water runoff on the Eastbank". Mr. Clarence Brocks addressed the Council regarding issues on the Eastbank.

Council Member McCarty asked to revert back to Agenda Items 11a(1) and 11a(2) wherein she asked to vote on the two suspensions which had been withdrawn. Rennie Buras, Parish Attorney then explained that they Board members were appointed until December 31, 2022 or until their replacements were name so there was no need to suspend the rules to appoint them today.

There being no further business to come before this Council, on motion Council Member Cognevich, seconded by Council Member Edwards, and on roll call all members present voting "YES", the meeting adjourned at 4:45 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
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.