

Minutes of a meeting of the Plaquemines Parish Council, held in the Pointe-a-la-Courthouse Council Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana on Thursday, July 14, 2022, at 5:00 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 Todd Eppley, Crystal Taylor and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 5c, “A Resolution authorizing the acceptance of bids for furnishing Marsh Master MM-2MX-KC-FH with cutter and accessories and trailer or equal for a period of one year for use Parish wide; and otherwise to provide with respect thereto”;
- 7b, “Rann Sok Tasty Crème Donuts, New Commercial Business in a School Zone, 8921 Highway 23, Belle Chasse, Louisiana”;
- 9a(1), “An Ordinance to levy millages on the 2022 tax roll on all property subject to taxation by Plaquemines Parish Government; and otherwise to provide with respect thereto”;
- 9b, “A Resolution conditionally approving the plan of Resubdivision of a portion of Tract 5-E Section B of Belle Chasse Plantation into Cypress Park Subdivision, Phase 2C; Phase 2C containing Lots 241 through 285, all without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto” was deferred for the fourth time; therefore, it fell off of the agenda;
- 9d, “A Resolution appointing _____ as the Assistant Secretary of the Plaquemines Parish Council; and otherwise to provide with respect thereto”;
- 11b, “District 9 update”;
- 11h, “Discussion about safety issues with Taco Bell and Popeyes”; and
- 11j, “Discussion by Don Vallee about Walker Road”.

Agenda Item 9c, “An Ordinance to amend the Five Year Capital Improvements Plan, Drainage-Empire Boat Harbors Project; and otherwise to provide with respect thereto” was withdrawn.

There being no matters under Agenda Item 2, “Executive Session” and no Proclamations under Agenda Item 3, Council Member Cognevich moved to Agenda Item 4, “Status Report by the Parish President” and the Item 4a “Charter Director’s update”. Without objection, so ordered. President Lepine reported the following;

- The Administration has been monitoring the weather and there is a possibility of heavy rain so they ask the public to stay weather aware and monitor social media and the news;
- A conversation was held with Nelson Capote from LADOTD and the work on Hwy. 23 will be ongoing for another month or two. Also, on weekends, they will be working on the drains on the highway. The work on Woodland Highway near the Parks will resume;
- The Administration recently honored Joey Horton, Ferry Superintendent, who is retiring after 34 years of service;
- Baseball ends tonight and Football registration begins today through August 11th; and
- An update on grass cutting was made. There are 16 tractors in the shop and only 11 pieces of equipment working throughout the Parish. In terms of personnel in the PROWM department, there is 1 Superintendent, 1 Secretary, 1 Foreman, 1 Diesel

Mechanic and 16 operators. An Ordinance was passed by the Council for 4 more tractors and they were ordered in March; however, they will not be delivered until January 2023; and

- President Lepine informed the Council that the Colonel from the Corps of Engineers informed him that their Legal Department did a review and the funds received for the Corps of Engineers to upgrade the levees, no longer require a funding match from the Parish. Therefore, all the funds can go to the levees to build up to 100 year protection; however none of the money can be used for the pump stations.

The following issues were raised by the Council Members and discussed with the Administration:

- Discussions on grass cutting and possible solutions;
- Ditches being sprayed;
- Lack of ambulance services; and
- The need for a budget review;

Council Member Cognevich moved to Agenda Item 5, “Bids and Advertisements”. Without objection, so ordered.

RESOLUTION NO. 22-172

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

A Resolution authorizing the acceptance of bids for furnishing oil, grease, lubes, etc. for period of six months for use Parish wide.

WHEREAS, after due advertisement bids were received on June 28, 2022, for furnishing oil, grease, lubes, etc. for a period of six months for use Parish wide as follows: Gulf Coast Oil & Supply, 45 Conquille, Belle Chasse, LA 70037; and The McPherson Companies, 2226 Peters Road, Harvey, LA 70058; all bids on file in the Parish Purchasing Agent’s Office and made a part hereof by reference to; and

WHEREAS, Brenda Stanifer, Purchasing Agent, recommends the acceptance of the low bid of Gulf Coast Oil & Supply for furnishing Item Nos. 11.1B, 11.2B, 11.3C1, 11.5A, 11.5B, 11.6B1, 11.6B2, 11.7B1, 11.7B2, 11.7C1, 11.8A1, 11.8A2, 11.8B1, 11.8B2, 11.8C1, 11.8C2, 11.9B, 11.9C, 11.9D, 11.10A, 11.10B, 11.11A, 11.11B, 11.12A, 11.12B, 11.13B1, 11.13B2, 11.14B1, 11.14B2, 11.14C1, 11.14C2, 11.16A1, 11.16B1, 11.16C1, 11.17A1, 11.17A2, 11.17B1, 11.17B2, 11.17C1, 11.17C2, 11.18A, 11.20A, 11.23A, 11.24B1, 11.24B2, 11.251A, 11.25A2, 11.26A1, 11.26A2, 11.27A2, 11.30A. AND 11.30B; and the low bid of The McPherson Companies for Item Nos. 11.1A, 11.2A, 11.3A, 11.3B, 11.4A, 11.4B, 11.4C, 11.6A1, 11.6A2, 11.7A1, 11.7A2, 11.9A, 11.13A1, 11.13A2, 11.14A1, 11.14A2, 11.15A1, 11.15A2, 11.19A, 11.19B, 11.21A, 11.22A, 11.24A1, 11.24A2, 11.27A1, 11.28A1, 11.28A2, and 11.29A1; 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 Gulf Coast Oil & Supply, 45 Conquille, Belle Chasse, LA 70037; and The McPherson Companies, 2226 Peters Road, Harvey, LA 70058; for furnishing oil, grease, lubes, etc. for a period of six months, to be purchased on an as needed basis, all in accordance with bids submitted by said company on June 28, 2022, 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 Gulf Coast Oil & Supply, for furnishing oil, grease, lubes, etc. for a period of six months, beginning with the adoption of this resolution and ending January 13, 2023.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT its Parish Fiscal Officers are authorized to issue check in payment of materials upon approval of invoices by Brenda L. Stanifer, Parish Purchasing Agent.

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.

RESOLUTION NO. 22-173

On motion of Council Member Cognevich, seconded by Council Member Barthelemy, and on roll call all members present and voting “YES”, except Council Member Barthelemy who was “PRESENT BUT NOT VOTING”, 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.

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 PLAQUEMINES PARISH COUNCIL THAT it hereby 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 July 31, 2022.

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.

Therefore, Council Member Cognevich moved to Agenda Item 6, “Beer and Liquor Licenses”. Without objection, so ordered.

RESOLUTION NO. 22-174

On motion of Council Member LaFrance, seconded by Council Member Arbourgh, 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 applications for permit to engage in the sale of liquor and/or beer only in the Parish of Plaquemines for the year 2022 are hereby approved: Port Sulphur Riverview, LLC d/b/a Happy Land II, 27910 Hwy. 23, Port Sulphur, Louisiana 70083, Table 1, Class B-Package Liquor and Sercovich Fuel Center, LLC d/b/a Sercovich Fuel Center, 7876 Hwy. 23, Belle Chasse, Louisiana 70037, Table 2, Class B-Package Liquor

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council. Council Member Cognevich moved to Agenda Item 7, "Building Permits". Without objection, so ordered.

RESOLUTION NO. 22-175

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 approving the issuance of a special permit to Kyle Fleming for the construction of a new modular in a FP (Flood Plain) Zoning District at 21038 Highway 23, Port Sulphur, Louisiana in accordance with Application No. 2022-623, dated June 20, 2022.

WHEREAS, Kyle Fleming, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2022-623, dated June 20, 2022) for the construction of a new modular located in a FP (Flood Plain) Zoning District at 21038 Highway 23, Port Sulphur, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a special permit to Kyle Fleming, for the construction of a new modular located in a FP (Flood Plain) Zoning District at 21038 Highway 23, Port Sulphur, Louisiana, all in accordance with Application No. 2022-623, dated June 20, 2022.

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.

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

1. An Ordinance to amend the 2022 Road Maintenance Fund, Operating Expenditure Budget, Road Maintenance Public Right of Way Department; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
2. An Ordinance to amend the Five Year Capital Improvements Plan for the Renovations-Animal Shelter Project and the 2022 General Fund, Revenue Budget; and otherwise to provide with respect thereto. COUNCIL MEMBER BLACK
3. An Ordinance to amend and reenact Section 4-15 of the Plaquemines Parish Code of Ordinances; and otherwise to provide with respect thereto. COUNCIL MEMBER ARBOURGH
4. An Ordinance to amend the 2022 General Fund, Manpower Structure and Operating Expenditure Budget, Interim Employee Training Department and the Flood Control-General Department; and otherwise to provide with respect thereto. COUNCIL MEMBER ROUSSELLE
5. An Ordinance to amend the Five Year Capital Improvements Plan, Drainage Environmental Assessment-Medal of Honor Park Project; and otherwise to provide with respect thereto. COUNCIL MEMBER ROUSSELLE

6. A Resolution to appoint replacement members to the Plaquemines Parish Tourist Commission Board; and otherwise to provide with respect thereto. COUNCIL MEMBER BLINK

7. A Resolution conditionally approving the plan of Resubdivision of a portion of Tract 5-E Section B of Belle Chasse Plantation into Cypress Park Subdivision, Phase 2C; Phase 2C containing Lots 241 through 285, all without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER BLACK

Council Member Cognevich moved to Agenda Item 9, “Ordinances and Resolutions on Second Reading and Final Passage”. Without objection, so ordered.

ORDINANCE NO. 22-84

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

An Ordinance to grant the U. S. Army Corps of Engineers a right of entry for disposal of dredged material on Grand Prairie Levee District lands; and otherwise to provide with respect thereto.

WHEREAS, the U. S. Army Corps of Engineers (Corps) has requested Plaquemines Parish Government (PPG), on behalf of the Grand Prairie Levee District, to grant a right of entry to hold disposal of dredged material from Corps maintenance dredging in Baptiste Collette Bar Channel on lands in Plaquemines Parish belonging to Grand Prairie Levee District located Section 48, T20S, R18E, Sections 25 and 36, T19S, R18E and Sections 30 and 31, T19S, R19E as shown in the map or plat as Disposal Area 3 in attached Exhibit A; and

WHEREAS, the Grand Prairie Levee District lands were selected by the Corps as a possible disposal area in the event that dredged material could not all be contained in other disposal areas selected by the Corps; and

WHEREAS, Disposal Area 3 currently consists of fragmented marsh, mud flats and open water with wetland species that appear stressed by subsidence and persistent flooding of underlying sediments; and

WHEREAS, the proposed beneficial use of dredged material would allow for the addition of 100,000 cubic yards or more of sediment to Disposal Area 3, raising portions to the area above ordinary tide and would nourish existing marshlands and build a platform in open water suitable for the growth of emergent wetland plants; and

WHEREAS, approximately 10 acres per 100,000 cubic yards of sediment would be directly benefited by receipt of the dredged material; and

WHEREAS any benefit from disposal of the dredged material onto the Grand Prairie Levee District is strictly ancillary to restoration of the navigation channel and not intended as environmental mitigation; and

WHEREAS, Grand Prairie Levee District would retain all existing surface and mineral rights and would not be required to maintain the created lands as wetlands; and

WHEREAS, the right of entry will be for a term of two years commencing by June 30, 2022, and pursuant to terms of the right of entry agreement attached as Exhibit B, and as approved by the Plaquemines Parish Government legal department for execution by the Parish President;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

PPG, acting through its President, be authorized and directed to execute the right of entry to the Corps on behalf of the Grand Prairie Levee District.

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 Black 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 14th day of July, 2022.

R E S O L U T I O N NO-22-176

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

A Resolution approving the request for a Conditional Use to Vertex Refining Myrtle Grove, LLC, for a refining, processing and storage of oily water facility in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as the southern portion of parcel number 1621209, East Ravenna Road, Alliance, Plaquemines, Parish, Louisiana, Section 5, Township 16 South, Range 25 East, all in accordance with Application No. 2022-494, dated May 10, 2022.

WHEREAS, Vertex Refining Myrtle Grove, LLC applied to the Plaquemines Parish Development Board (Application No. 2022-494, dated May 10, 2022) a refining, processing and storage of oily water facility in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as the southern portion of parcel number 1621209, East Ravenna Road, Alliance, Plaquemines, Parish, Louisiana, Section 5, Township 16 South, Range 25 East, describe as follows:

ONE CERTAIN LOT OR PARCEL OF GROUND, together with all the buildings and improvements thereon, situated in the Parish of Plaquemines, State of Louisiana, Section 5, Township 16 South, Range 25 East, being more particularly described as follows:

Tract A1C, Alliance & St. Rosalie Plantation, HPS Development, LLC (Former Ethanol Plant Site) Division, at intersection of LA Power & Light Co & R/W of Highway 23 a distance of 2,111.83' to point of beginning- 210.64' X 1,301.27' X

1,221.80, X 95.98' X 505.11' X 159.40' X 220.75' X 332' X 170.23' X 358.55'
X 1,397.84' X 222.20' X 55.28' X 186.13' X 102.66'.

WHEREAS, a proposed Conditional Use Petition was filed by Vertex Refining Myrtle Grove, LLC (Application No. 2022-494, dated May 10, 2022) to consider the Conditional Use; and

WHEREAS, after a public hearing was held on June 7, 2022, providing all interested parties and the public with an opportunity to be heard regarding the proposed Conditional Use, and the advertisement required by law was made in the Plaquemines Gazette, the official journal of the Parish of Plaquemines; and

WHEREAS, Vertex Refining Myrtle Grove, LLC has attached Plaquemines Parish Industrial Development Questionnaire; and

WHEREAS, Vertex Refining Myrtle Grove, LLC has applied to and is waiting on state and federal agencies for their approval; and

WHEREAS, at a meeting held on June 7, 2022, the Plaquemines Parish Development Board adopted a resolution favorably recommending the Conditional Use Petition as proposed by filed Vertex Refining Myrtle Grove, LLC (Application No. 2022-494, dated May 10, 2022) to consider the Conditional Use for a refining, processing and storage of oily water facility in a FP (Flood Plain) Zoning District; and

WHEREAS, the Plaquemines Parish Development Board made the recommendation to approve as per Resolution No. 22-07, dated June 7, 2022;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following petition for Conditional Use in the Parish of Plaquemines is hereby approved, the requested Conditional Use Petition by Vertex Refining Myrtle Grove, LLC, a refining, processing and storage of oily water facility in a FP (Flood Plain) Zoning District, located on a certain tract of land designated as the southern portion of parcel number 1621209, East Ravenna Road, Alliance, Plaquemines, Parish, Louisiana, Section 5, Township 16 South, Range 25 East, all in accordance with Application No. 2022-494, dated May 10, 2022.

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.

ORDINANCE NO. 22-85

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

An Ordinance to amend the 2022 Manpower Structure; and otherwise to provide with respect thereto.

WHEREAS, after a review of the manpower needs of the Maintenance Department, it has been recommended to fund one full-time Master Electrician position, position number 628-2453-01, at an annual salary of \$32,857, plus benefits;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2022 Manpower Structure is amended by funding one full-time Master Electrician position, position number 628-2453-01, in the Maintenance Department, at an annual salary of \$32,857,

Object	Description	Inc/Dec	Amendment
470.056	Misc Rev Donations Emerg Preparedness	Inc	3,000
565.110	Equipment - Communications	Inc	3,000

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 Black 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 14th day of July, 2022.

ORDINANCE NO. 22-87

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

An Ordinance to make technical corrections to Ordinance No. 22-62; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council adopted Ordinance No. 22-62 to merge precincts created by Ordinance No. 22-22 as part of the redistricting of the Plaquemines Parish Council following the 2020 Federal Decennial Census; and

WHEREAS, Ordinance No. 22-22 used the term “consolidated” which should have been “geographically merged”;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The following technical changes to Section 2 of Ordinance 22-62, adopted on May 26, 2022.

The following Precincts are hereby geographically merged:

Precincts 2-1 and 4-1A are hereby merged and the merged precinct is redesignated as precinct 2-1

Precincts 3-1, 4-1C and 5-1D are hereby geographically merged and the geographically

merged precinct is redesignated as Precinct 3-1

Precincts 3-1A, 3-1B, 4-1 and 4-1B are hereby geographically merged and the geographically merged precinct is redesignated as Precinct 4-1

Precincts 5-1 and 2-1A are hereby geographically merged and the geographically merged precinct is redesignated as Precinct 5-1

Precincts 4-1D, 5-1B and 6-1 are hereby geographically merged and the geographically merged precinct is redesignated as Precinct 6-1

Precincts 5-1A, 5-1C are geographically merged and the geographically merged precinct is redesignated as Precinct 5-1A

Precincts 6-1B and 6-2A are geographically merged and the geographically merged precinct is redesignated as precinct 6-1B

Precincts 6-2B and 8-1 are hereby geographically merged and the geographically merged precinct is redesignated as precinct 8-1

Precincts 8-1A and 7-1 are hereby geographically merged and the geographically merged precinct is redesignated as precinct 7-1

Precincts 8-2A and 7-2 are hereby geographically merged and the geographically merged precinct is redesignated as precinct 7-2

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 Rousselle 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 14th day of July, 2022.

R E S O L U T I O N N O. 22-177

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

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

A Resolution requesting authorization by the Plaquemines Parish School Board to use the Belle Chasse High School Auditorium to show a documentary film entitled, "Iron Sharpens Iron" on July 26, 2022, at 6:00 p.m.; and otherwise to provide with respect thereto.

WHEREAS, Council Member LaFrance has been contacted by Mr. John Richie, producer of a documentary about the struggles of the Ironton community and the surrounding areas, would like the film to be shown in Plaquemines Parish; and

WHEREAS, a request has been made to the Plaquemines Parish School Board to use the Belle Chasse High School Auditorium to show the film; and

WHEREAS, the Plaquemines Parish School Board has asked for a Resolution from the Plaquemines Parish Council requesting use the Belle Chasse High School Auditorium;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby requests authorization from the Plaquemines Parish School Board to use the Belle Chasse High School Auditorium on July 26, 2022, at 6:00 p.m. to show the documentary film, "Iron Sharpens Iron", produced by Mr. John Richie.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT a certified copy of the Resolution be sent to the Plaquemines Parish School Board.

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. 22-88

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

An Ordinance to amend and as amended to readopt Section 7-23 of the Parish Code of Ordinances; and otherwise to provide with respect thereto.

WHEREAS, the Parish Council desires to amend Subsection (a) so that it does not apply to temporary R/V sites/spaces or parks due to their temporary nature;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Subsection (a) of Section 7-23 of Chapter 7 of the Parish Code of Ordinances is amended, and as amended shall now read as follows:

"(a) No building permit shall be issued regarding the location of mobile homes or house trailers that violates or conflicts with any existing residential area covenant, or restriction. This Subsection shall not apply to building permits issued for temporary R/V permits authorized and made pursuant to Subsection 6 of Section XII of Ordinance No. 142, the Comprehensive Zoning Ordinance."

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 14th day of July, 2022.

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

RESOLUTION NO. 22-178

On motion of Council Member Cognevich, seconded by Council Member Rousselle 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 June 23, 2022, regular meeting as recorded by the Secretary of this Council.

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

Under 11a, "Introduction of Resolutions Wherein Suspension is Being Sought" Council Member Black offered a Motion to Suspend the Rules. Council Member Black offered a Motion to Suspend the Rules to add an item to the agenda for consideration at today's meeting entitled, "A Resolution authorizing partial (final) settlement of *Plaquemines Parish Government v. Mapp Construction, LLC, ABC Insurance Company, Travelers Casualty & Surety Company, Sizeler, Thompson, Brown Architects Project Design Group, LLC and XYZ Insurance Company*, matter number 025//61-741(B); and otherwise to provide with respect thereto". The motion was seconded by Council Member Arbourgh, and on roll call, all members present voting "YES", the motion was adopted by a vote of 9-0.

RESOLUTION NO. 22-179

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

A Resolution authorizing partial (final) settlement of *Plaquemines Parish Government v. Mapp Construction, LLC, ABC Insurance Company, Travelers Casualty & Surety Company, Sizeler, Thompson, Brown Architects Project Design Group, LLC and XYZ Insurance Company*, matter number 025//61-741(B); and otherwise to provide with respect thereto.

WHEREAS, this matter, in which Plaquemines Parish Government filed the captioned lawsuit in 2014 to collect damages due and owing to the Parish as a result of defects in the design and construction of the Plaquemines Parish Animal Shelter by the said defendants, has now been settled as to the final defendant, as set forth below; and

WHEREAS, partial settlement of this matter having been previously achieved with defendants Sizeler, Brown, Thompson Architects Design Group, LLC, and MAPP Construction, LLC, in the full amount of One Million, Eight Hundred Twenty-Five Thousand Dollars (\$1,825,000.00), which has been timely paid by said defendants and due discharge and release therefore granted; and

WHEREAS, further subsequent partial settlement of this matter having also previously been achieved with defendants Gulf GeoExchange & Consulting Services, Inc. and Mayers & Associates, Inc. in the amount of Thirty Thousand Dollars (\$30,000.00), to be made payable to “Plaquemines Parish Government” and paid by said defendants within thirty (30) days of receipt of notice by defendants of the enactment of this Resolution, said settlement to result in the dismissal of all claims as against the said defendants, with prejudice, reserving all rights of Plaquemines Parish Government to proceed against all other defendants; and

WHEREAS, further subsequent partial settlement of this matter having now been achieved with the final defendant, Roof Technologies, Inc., in the amount of Five Thousand Dollars (\$5,000.00) to be made payable to Plaquemines Parish Government and paid by said defendants within thirty (30) days of receipt of notice by defendants of the enactment of this Resolution, said settlement to result in the dismissal of all claims as against the said defendants, with prejudice; said settlement being the final settlement in this matter thus closing the said litigation; and

WHEREAS, the matter is now presented to the Parish Council for approval and authority to conclude the final partial settlement set forth hereinabove, and further to conclude this litigation;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish Attorney is hereby authorized to do all things necessary and proper to enter into settlement with Roof Technologies, Inc., as set forth above, and to complete the said partial compromise and close the titled litigation, with prejudice, as it pertains to defendants Roof Technologies, Inc., and further to close the said case.

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

Under 11c, “District 8 update”, Council Member Blink addressed the need for shaving at least 2 really bad spots on Hwy. 11. He asked Director Scott Rousselle if they could get together to go look at the spots in need of repair and mark them.

Under 11d, “District 1 update”, Council Member Barthelemy addressed the following:

- 1) Discussion on the status of hurricane protection for Braithwaite Park and the surrounding area: The Administration said they were still getting the requested information together.
- 2) Status of back levee from Caernarvon to White Ditch since Hurricane Ida: The Administration said there was no money received from FEMA for the back levee.
- 3) Updates on all East Bank pump stations and discussion of the Administration’s contingency plan for the upcoming Hurricane Season: Director Scott Rousselle provided an update to the Council stating that Pointe-a-la-Hache has one motor and they are working on getting the part that is needed to make the repairs. Currently, PALH is working at 50%. Bellevue is working at 50% and they have gotten the information together for a quote for the chain drive;
- 4) Discussion of Hwy. 15 south of the Pointe-a-la-Hache Courthouse: Council Member Barthelemy asked if everything is status quo. There was no new information provided by the Administration;
- 5) Discussion of sediment from Mardi Gras Pass making bayous and canals impassible to fishermen and impacting their income: John Helmers is Working with the CORPS on experimental project which is moving along; and

- 6) Pointe-a-la-Hache Boat Harbor and Shipyard: Council Member Barthelemy said he appreciated the grass being cut.

Under Agenda Item 11e, "District 7 Update", Council Member LaFrance discussed the following:

- Discussion on the Port Sulphur Water Plant: Director Todd Eppley said that Inframark is still working on testing the pumps and the equipment inside the plant. The Administration has received approval from Rostan for the fence around the plant;
- As per John Helmers the Suzie Bayou Project is in the land acquisition phase and there are 35-40 people who need to sign the documents. After that then it can go out to bid;
- Pointe Celeste Pump Station Road: Director Scott Rousselle said they have raised the road with about 3 feet of rock in order to get to the back. Scott Rousselle said that if it floods, pending the surge, the road is high enough that they still should be able to get back to the pump station. Council Member Rousselle said that Venture Global offered a substantial amount of fill that can be put on the road. Scott Rousselle said they will get with Venture Global about this matter and President Lepine said that he spoke to Mr. Burt with Venture Global and they are waiting on him for the dirt.

Council Member Cognevich reverted back to Agenda Item 9j. Without objection, so ordered. Council Member Black offered a Motion to Reconsider the vote on Agenda Item 9j, entitled, "An Ordinance to amend and as amended to readopt Section 7-23 of the Parish Code of Ordinances; and otherwise to provide with respect thereto". The motion was seconded by Council Member Arbourgh and on roll call, all members present voting "YES", the motion was adopted by a vote of 9-0.

Council Member Black offered the Agenda Item 9j with changes.

ORDINANCE NO. 22-88

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

An Ordinance to amend and as amended to readopt Section 7-23 of the Parish Code of Ordinances; and otherwise to provide with respect thereto.

WHEREAS, the Parish Council desires to amend Subsection (a) so that it does not apply to temporary R/V sites/spaces or parks due to their temporary nature;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Subsection (a) of Section 7-23 of Chapter 7 of the Parish Code of Ordinances is amended, and as amended shall now read as follows:

"(a) No building permit shall be issued regarding the location of mobile homes or house trailers that violates or conflicts with any existing residential area covenant, or restriction. This Subsection shall not apply to building permits issued for temporary R/V permits authorized and made pursuant to Subsection 6 of Section XII of Ordinance No. 142, the Comprehensive Zoning Ordinance."

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 Arbourgh 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 14th day of July, 2022.

Under Agenda Item 11f, "District 5 Update", Council Member Rousselle moved to item 5, "Flooding of West W Street". He stated that a drainage project has been in the works for at least 15 years and once the bridge came in, the Parish project basically stopped. Danielle Havnen was then given the floor. She addressed the Council stating she lives on West W. Street and the flooding has been happening for about 30-40 years, with the most recent event happening less than 48 hours ago. Mrs. Havnen stated that the whole drainage system has not been maintained in years. President Lepine said he would meet with her regarding the flooding problems. Mr. David VanHeeswijk, from Plenary addressed the Council stating that the Bridge Project does include some short-term drainage improvements; however, drainage conditions have not changed due to the new construction and it is not diverting water to West W. Street.

Under Agenda Item 11g, "District 6 Update", Council Member Newberry asked if there was any update on the parts for the Oakville Pump Station. Scott Rousselle said that they are still waiting on the part and it does still run.

Under Agenda Item h, the following announcement was made: An announcement to inform the public that an Ordinance to levy millages on the 2022 tax roll on all property subject to taxation by Plaquemines Parish Government; and otherwise to provide with respect thereto will be offered for a vote at the Thursday, July 28, 2022, meeting to be held in the Pointe-a-la-Hache Courthouse Council Chambers.

There being no further business to come before this Council, on motion Council Member LaFrance and unanimously seconded, and on roll call all members present voting "YES", the meeting adjourned at 6:47 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 or on YouTube.